

Prison officers demand union fraud inquiry

By RICHARD FORD
HOME CORRESPONDENT



LEADERS of the Prison Officers' Association are being urged to call in the police after allegations of expenses irregularities and poor financial controls.

There are also moves to strip John Bartell, former chairman of the 29,000-strong union, of his honorary life membership pending an inquiry into his expenses.

A special conference next week will hear demands for the fraud squad to be called in

to the union's north London headquarters.

A union insider said: "There are a number of questions that still need to be answered. Until we have a full independent audit of the accounts, I do not think we can say these matters are closed."

Three hundred delegates representing officers at 135 jails in England, Wales and Northern Ireland will attend the two-day meeting at the TUC in London. The conference is the climax of months of infighting, including a disputed election to replace Mr

Bartell as chairman and the resignation of Terry McLaren, a vice-chairman.

A copy of the conference agenda seen by *The Times* shows 136 motions, including three expressing no-confidence in the national executive.

Nine motions call for the police to be brought in to investigate a range of allegations of financial irregularities. One urges the national executive committee to call in the police to investigate the "financial deals of former chairman John Bartell during

the period January 1, 1992, to July 10, 1995".

The accountants Grant Thornton are conducting an inquiry into expenses claimed by Mr Bartell, who resigned on medical grounds in April last year. He had been chairman for nine years.

In a confidential 50-page document, Mr Bartell was asked by Grant Thornton to explain restaurant bills for three years and claims for foreign travel, foreign currency and other expenses.

He said last night that his expenses had been incurred

while carrying out the policy of the union. "Nobody has made any allegations against me other than express concern at the amount of money spent."

"All my expenses were approved by the auditor [the union's former treasurer, Terry Jarman]. In areas where there was any likelihood that I would be responsible for payment, that payment was reimbursed to the union."

The new chairman, John Boddington, and the general secretary, David Evans, were not available for comment yesterday.

Government tells Sinn Fein it will not be swayed by renewed violence

IRA terror 'must end before peace talks begin'

By NICHOLAS WATT, IRELAND CORRESPONDENT

THE Government yesterday demanded an immediate and permanent end to the terrorist campaign at its first face-to-face meeting with Sinn Fein since the IRA ended its ceasefire.

In two hours of talks at Stormont, senior officials from the Northern Ireland Office told Sinn Fein that the Government would not bow to threats from the IRA. Queen Thomas, the deputy secretary, told the party that the Government would not negotiate with it if the IRA maintained its campaign.

The Government set out its conditions as it announced that 400 extra troops, from the Royal Dragon Guards, were being sent to the Province as a "precautionary measure".

In a statement the NIO said it had told Sinn Fein it condemned the Government's plans to hold elections in Northern Ireland as an attempt to impose a stumbling block. He said: "The demand by the British Government and Unionists for an elected body... is something which is total anathema to the entire nationalist community. It has

little to do with establishing electoral mandates but more to do with the British Government and the Unionists attempting to pre-shape and pre-determine the outcome of negotiations."

The meeting yesterday was the first time during the Troubles that the Government has held public talks with Sinn



David Trimble, leader of the Ulster Unionists, at the Commons yesterday. Sinn Fein condemned Unionist moves

Finn during an IRA campaign. The Sinn Fein delegation included Gerry Kelly, a convicted IRA bomber, who took part with Mr McGuinness in the party's secret contacts with the Government in 1993.

Sinn Fein's sombre mood after the meeting will add to a growing sense of doom at the chances of rescuing the peace

process. It has hinted that the IRA might restore its ceasefire if Britain sets a specific date for all-party talks.

However, the Government says that it cannot "manufacture" talks and that it must create the conditions that will give Unionists the confidence to join such talks. Sinn Fein's demand for a specific date has

proved the stumbling block in Anglo-Irish negotiations for a summit between John Major and John Bruton tomorrow.

Dublin says it would be prepared to accept Britain's proposal for elections if Britain agreed to a date for the start of all-party talks.

Guard for Princess, page 4

Rightwingers press for tough line at Turin summit

By NICHOLAS WOOD
CHIEF POLITICAL CORRESPONDENT

THE Tory Right foreshadowed fresh trouble for John Major yesterday by raising the stakes over next month's summit on the future of the European Union.

Leading Conservatives urged the Prime Minister to threaten mayhem inside the EU unless Britain is granted concessions over items such as a single currency, the powers of

the European Court of Justice and moves towards closer political union.

The implication behind the Right's latest and most menacing shopping list was that Mr Major could have a fresh Conservative rebellion on his hands if he tries to steer a middle course at the Turin summit. A paper from the European Research Group, which includes Jonathan Aitken and Sir Archie Hamilton, former ministers, effectively rejected the Government's planned negotiating strategy

towards the inter-governmental conference (IGC).

The Prime Minister is on course to publish a White Paper early next month making clear that Britain believes that European integration has gone far enough. But the group of 13 leading Tories insisted that that a far more aggressive strategy was needed to stop the country being dragged into a European superstate.

The main British objective at the IGC should be clawing back many of

the powers ceded to Brussels over the 20 years of British membership, the group said.

Britain should make plain that its courts would no longer be subservient to the European Court of Justice and that it will not surrender control over its currency or its foreign and defence policy.

The Government should back up its list of demands by making clear that, unless they were granted, it would use its powers under the Treaty of Rome to wreck the federal

ambitions of its partners. The European Research Group, led by Sir Michael Spicer and consisting of a dozen MPs and Lord Pearson of Rannoch, said it was time for the United Kingdom to insist on "trade-offs" at the IGC under which the price for not yielding the national veto to block federal ambitions was a string of new opt-outs bolstering national sovereignty and limiting Britain's European destiny to a loose trading relationship.

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A pet cemetery owner who buried animals in bags was jailed for 27 months yesterday by Derby Crown Court. Freda Cunningham, 55, of Weston-on-Trent, Derbyshire, was convicted last November. She had sent a sick note to the court, then was not seen again until being arrested at Gatwick airport earlier this month. Cunningham was jailed for two years for seven charges of obtaining property by deception and was given a further three months to run consecutively after admitting contempt of court.

Cliffhanger couple quit

A couple whose cliff-top home is in danger of falling into the sea have finally agreed to move. George Scott, 71, and his wife Jeanne, 56, decided to abandon their two-bedroom bungalow at Happisburgh, Norfolk, after seeing a nearby empty chalet crumble away at the weekend. They had been determined to stay in the home they paid £15,000 for nine years ago even though their 180ft garden has been washed away. The couple have moved to a council bungalow in the nearby coastal village of East Runton.

Hostage hopes rise

Four Cambridge graduates held hostage by Indonesian rebels will be visited by Red Cross officials for the first time today in a new attempt to free them. The visit was agreed at a three-hour meeting yesterday in the jungle where the four hostages were captured seven weeks ago and are still believed to be held. A Foreign Office spokesman said the speed was "cautious optimism" that the hostages, including two Dutch citizens and six Indonesians, could be released soon. They have not been seen by Westerners since their capture.

War heroes recognised

The heroism of thousands of black South Africans in two world wars was finally recognised at a ceremony in Cape Town yesterday attended by President Mandela and the Duke of Edinburgh. The veterans have only recently been added to the roll of honour of the formerly white-only British Commonwealth Ex-Services League, which is celebrating its 75th anniversary. The league now includes veterans of the anti-apartheid movement and the South African Defence Force against which it fought.

Crossword winners

The opening regional final of the Times Aberlour Crossword Championship in Manchester was won by Neil Robinson, 53, a retired computer manager from Scarborough, North Yorkshire. He solved the four puzzles in an average of seven minutes. The runner-up and second qualifier for the national final in October was Phil Jordan, 48, a taxi driver from Manchester, with 74 minutes.

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Suppliers question Post Office contracts

By NIGEL WILLIAMSON, WHITEHALL CORRESPONDENT

A COMMITTEE of MPs is to investigate alleged illegalities in the awarding of contracts by the Post Office. Suppliers have claimed that the Post Office hijacked designs of mail-sorting equipment and asked other manufacturers to undercut the price in breach of copyright law.

The Trade and Industry Select Committee will also examine allegations that the Post Office broke European law by awarding a £75 million contract without allowing other firms to tender.

The Post Office spends more than £1 billion a year with 6,000 supplier companies. A *Dispatches* programme on Channel 4 tomorrow will point to three cases that call into question the ethics of the huge purchasing operation.

In 1992 the Post Office asked Scantool, a Danish company, to supply a mail-sorting rack for trials. A Post Office report shows that it was tested against three rival designs and came out the easy winner. Scantool was told there was a

£12 million contract at stake and the firm was invited to Post Office headquarters to discuss the specifications. Yet when a tender for 1,500 frames was sent out, Scantool was not included, even though the specifications appeared to be identical to the Scantool model. The Post Office has offered Scantool a payment without prejudice but the case has still not been settled.

Another firm, Aldo Manta, was awarded a £7.5 million contract for sorting frames in 1994. The firm had helped the Post Office break a strike in 1985. A rival firm, Bridgegate, which had been supplying almost identical frames to the Post Office for 20 years, was not asked to tender this time.

Bridgegate suspected that its design had been copied and started legal action against Aldo Manta. The Post Office has since purchased the disputed design rights from Bridgegate.

The Post Office has been involved in a third legal dispute with Hubbard Print, which supplied stationery.

Blunkett calls for grouping by ability

By DAVID CHARTER, EDUCATION CORRESPONDENT

DAVID BLUNKETT will attack progressive teaching methods and the widespread acceptance of mixed-ability classes in comprehensive schools tonight. The Shadow Education Secretary will blame a dogmatic reluctance to separate children by ability in different subjects for comprehensives' failure to help some pupils to realise their potential.

Mr Blunkett will tell the Social Market Foundation in

London that there is still "chronic under-performance" in many schools and that grammar schools provide a good education, but only to a minority of children. He will reaffirm Labour's commitment to schools that do not select children by ability. But he will call on comprehensives to group children by ability where possible.

Mr Blunkett will say: "The comprehensive school should have focused on every pupil reaching their full potential instead of developing an unfortunate association with rigid mixed-ability teaching."

The Centre for Study of Comprehensive Schools said very few comprehensives retained mixed-ability teaching across the board. However, Tony Cobb, its director, added: "Research shows that the best mixed-ability teaching produces some of the best results. The problem is that it does require quite specific teaching skills and limited class sizes to operate successfully."



Blunkett: against selection

Blair gives his blessing to chablis socialists' club

By JOE JOSEPH

LEAVING no Old Labour institution unrocked, Tony Blair has blessed the transformation of Trindon Village Working Men's Club, in his constituency of Sedgefield, Co Durham, into a swish venue where meat pies and warm pints have made way for red mullet and chilled chablis. New Labour, new Britain, new brasserie... Gone are the grubby furniture and plastic floor tiles, made sticky by spilled beer. Now patrons of the

renamed Constituency Labour Club — Mr Blair's favourite drinking spot outside Westminster — swap views on the minimum wage while sinking into thick carpets and velvet sofas.

At the bar where once only men lurked, women mingle too — following new Labour's decision not to ape the manners of Pall Mall's more antique clubs. The old club steward has been ditched to make way for an executive manager. "Wow, this is fantastic," Mr Blair said as he reopened the club this weekend after its £100,000 facelift. "Where's

the pool table gone?" Standing in front of the club's new Victorian sea-fishing prints on Friday night, he told regulars: "I remember this place 12 to 13 years ago and what has happened is a transformation. This is now a facility for the whole community and something we can all be proud of."

"If we can build on this then we have a tremendous future. North East workingmen's clubs have traditionally been different but as times change, people change." At this point a heckler squeaked: "Aye, but Tony

— women in the bar?" Two and a half years ago the club was in the hands of the receiver. The local Labour party took it over and secured financial backing from the Federation Brewery. Membership has swelled since the revamp, soaring from 50 to 1,200 in the past few weeks.

Paul Trippett, 39, the club's new manager, said: "New Labour needs a new kind of Labour club and this is it. The club mirrors exactly what has happened in the party. It is all about change and encouraging people to

lift their horizons. Some of the people who have been coming for years had reservations. They grumbled even more when the bar was closed for three weeks, while it was being refurbished. But now that they are sitting in splendour with their pints I haven't heard a single complaint."

John Burton, chairman of Sedgefield Labour Party, said: "Our wine list is very extensive and when the kitchens are built we will be able to introduce a proper menu rather than the pork pies of the past."

Sea E disaster as Torr

Rescue centres inundated as oil-soaked corpses of birds litter beaches for 35 miles

Sea Empress oil disaster 'as bad as Torrey Canyon'

BY CAROL MIDDLETON AND NICK NUTTALL

THE Sea Empress oil spill is the biggest environmental disaster since the *Torrey Canyon* in 1967, experts said yesterday. Conservationists and wildlife rescue services estimate that 20,000 birds have been affected so far. The eventual death toll could reach 50,000, the same as when the *Torrey Canyon* spilled more than 100,000 tonnes of oil off the Cornish coast.

Beaches for 35 miles around Milford Haven, where the *Sea Empress* ran aground, are littered with the oil-soaked corpses of seabirds. Some 45 grey seals have been seen swimming in the oil at sea. By yesterday, about 150 badly polluted but still living birds had been rescued from Lundy

island, 40 miles to the south and 12 miles off the north Devon coast. However, south-westerly winds appeared to be blowing the oil away from the area last night.

About 1,500 birds, including guillemots, razorbills, scoters — a sea duck — and red-throated divers, have been taken to rescue centres around the country. Most are at the RSPCA centre at West Hatch, near Taunton in Somerset, where they are being fed, cleaned with washing up liquid, and left to dry. If they are not rescued in time, the birds die of hypothermia or toxic poisoning.

The stench of oil is overwhelming at West Hatch as more casualties arrive. The

birds, their feathers thick with black oil, sit in their cages waiting to be treated while others clearly have difficulty breathing. Each bird is given a number and has its foot tagged before it is released. After they are unbanded from vans, the birds have a tube inserted into their stomachs and are fed with lactade, a mixture of warm glucose and minerals. Their beaks are tied and they go through a 20-minute detergent wash before being put in cages to dry.

To test if they have recovered, staff place them in specially made ponds. If they stay waterproof and can keep their buoyancy, they are considered reasonably fit. Most of the casualties will stay at the centre for two or three weeks after which, they will be released from cliffs or on beaches miles away from the oil slick. The cost of treating each bird is estimated at £30.

Government advisers have said that for every dead bird found, another ten are likely to have perished at sea. But Richard White, of the Devon Wildlife Trust, said: "We estimate that for every one bird we capture alive there are up



MARTIN ELLARD

Oiled but alive, another seabird washed up near Milford Haven heads for a rescue centre where it will be fed and cleaned before release

to 50 dead ones on the beaches or out at sea.

"We know that whole rafts of guillemots and razorbills are huddling together out in the Bristol Channel waiting to come in and breed, and from the dead birds we have seen so far they are being hit by this. This is big, very big."

"I think this could well be worse than the *Torrey Canyon*

and certainly worse than the *Braer* disaster. This oil is a different type altogether. It is heavier, like an emulsion with the texture of chocolate mousse and it doesn't disperse easily."

Elizabeth Salter, of the Marine Conservation Society, said

there were many contributing factors which made this the worst marine disaster for 30

years. "The time of year could not be worse. These birds are just returning to nest and breed. It is catastrophic."

"That fact there are some of the most pristine marine con-

servation centres in this area

— Skomer, Lundy and Grassholm — makes the potential for damage even greater. The problem here, compared to other oil

spillages, is that you have an extremely high concentration of marine life in a very small area. I would not be at all surprised if we eventually lost 50,000 birds through this."

At the RSPCA centre in West Hatch, the largest of its kind in Europe, staff and volunteers have been working round the clock to try to save the lives of birds taken off the

beaches. More than 500 have arrived in the past few days: others are being sent to hospitals as far afield as Cheshire and Norfolk. A rescue centre sponsored by Texaco has been set up near Milford Haven and a small number of birds are being treated at the homes of individual volunteers.

Counting the cost, page 26

Cambodian star of Killing Fields shot dead in Los Angeles

BY GILES WHITFIELD
AND DAVID ALBERG



THE Cambodian doctor who found fame as an Oscar-winning actor in *The Killing Fields* after fleeing torture in his homeland has been shot dead outside his Los Angeles home.

Dr Haing Ngor, 45, who played the part of a Cambodian journalist who suffered horribly under the Khmer Rouge, was killed as he returned to his home in the city's Chinatown district on Sunday evening. He died of a single gunshot wound.

The reason for the killing has not been established and police have not ruled out robbery. A long-running dispute over his fundraising activities had soured the doctor's relations with the local Cambodian community.

His own story was shocking as anything in the film. Dr Haing Ngor's wife, children and parents were among the millions killed under the Khmer Rouge. The doctor was captured and tortured for years after its bloody takeover of Cambodia.

He once recalled how he was operating in Phnom Penh's main hospital when a young boy put a gun to his head and drove him away, leaving the patient on the operating table. Khmer officials captured him in 1975 and during a long imprisonment maimed his right hand and slashed his leg with an axe. He escaped to Thailand in 1979 and settled in the United States the following year.

After four years doing odd jobs, the slight, bespectacled Dr Haing Ngor won not only fame but a role in Cambodian affairs when cast in *The Killing Fields*. His lack of professional acting experience was made up for by "life and death" training as a Khmer Rouge prisoner, he said in an interview at the time. In the film, the doctor played a role which bore strong parallels to his own life: he appeared as

Dr Haing Ngor: tortured by the Khmer Rouge

Dith Pran, a Cambodian journalist who acted as an aide to a New York Times correspondent. Mr Dith Pran was captured and imprisoned.

Dr Haing Ngor won an Oscar for best supporting actor and went on to take other roles in film and television, including *Miami Vice* and *Highway to Heaven*. Mr Dith Pran still lives in New York and works on the picture desk of *The New York Times*.

Dr Haing Ngor often returned to Cambodia as a doctor, businessman and distributor, and founded two charities for Khmer victims, Aid to Displaced Persons and Enfants d'Angkor. Yesterday



Haing Ngor, right, in Putnam's *The Killing Fields*

Labour elects man in a dress

BY ANDREW PIERCE

A LEFT-WING Labour party was thrown into turmoil last night after electing a man awaiting a sex change operation to a women-only committee. Some party activists have objected to the election of Paula Thomas, formerly Paul, to the women's council in Tower Hamlets, east London.

Bethnal Green Labour Party has set up an investigation to examine whether the new officer of the committee, who describes himself as Miss Thomas, can take up the post which has

always been exclusively female. The appointment is being opposed by a small but vocal group of party members who have complained to Tessa Jowell, the Labour spokeswoman for women.

A protest has been sent to the party headquarters claiming that the victory by Miss Thomas paves the way for any man to disrupt internal elections by wearing a dress and a wig and calling himself a woman.

Julian Sharpe, secretary of Bethnal Green Labour

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1st	1st	1st	1st	1st
1st	1st	1st	1st	1st
1st	1st	1st	1st	1st
2nd	1st	1st	1st	1st
1st	1st	1st	1st	1st

SUN ALLIANCE PENSION FUNDS

Quartile Ranking

	1 Year	2 Years	3 Years	5 Years
1st	1st	1st	1st	1st
1st	2nd	2nd	1st	1st
1st	1st	2nd	2nd	2nd
1st	1st	1st	1st	1st
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IRA threat forces security review

Princess of Wales bows to pressure for armed guard

BY ANDREW PIERCE AND JIAN HAMILTON

THE Princess of Wales reluctantly gave in to pressure from Buckingham Palace yesterday and agreed to round-the-clock armed guards for the first time since she announced her withdrawal from public life.

A plain-clothes armed policeman escorted the Princess to her London gymnasium yesterday morning as security was tightened around the Royal Family in response to the renewed threat from the IRA. The Princess arrived at the health club by an alternative route, in a different car, with tinted windows, and at a different time from her usual routine.

The officer, a member of the Royal and Diplomatic Protection Squad, waited for the Princess for 90 minutes while she worked out at Chelsea Harbour Club. The Princess, who is used to travelling without a minder, left in a green Rover car with the bodyguard in the passenger seat.

The change in the lifestyle of the Princess was the most visible sign so far of how seriously members of the Royal Family have taken the IRA's

latest mainland security campaign. The Princess has fiercely resisted attempts in the past to have security cover imposed on her because of the effect it would have on her privacy. Armed guards have accompanied her on only a handful of formal functions in the last two years.

Security was perceptibly tighter at all the royal palaces yesterday. Soldiers in combat fatigues stood guard with rifles outside the main entrance to Buckingham Palace. The ceremonial red tunics and bearskins, one of the capital's most distinctive sights, were nowhere to be seen. Marks men were on the roof.

Police officers with flak jackets and pistols clearly on show by their side mingled freely with tourists in front of the palace.

No staff members, no matter how senior, were immune from the stricter security checks. Sir Robert Fellowes, the Queen's private secretary, who is one of the most distinctive figures at the palace, yesterday showed his security pass to armed guards at the palace gates as he arrived for

work. The traditional changing the guard ceremony was expected to go ahead as planned today.

At the entrance to St James's Palace, members of the Irish Guards in combat dress patrolled adjoining streets. Three armed policemen maintained a discreet presence at the entrance to Clarence House, the home of Queen Elizabeth the Queen Mother.

A police officer patrolling close to Clarence House said:

"In the past any armed officers were instructed to be discreet. Now we are instructed to be overt and to have the guns clearly on show. It is partly to demonstrate strength and to reassure visitors."

Builders working in the area are being subjected to more rigorous and regular security checks. John Leonard, who was working on a building next door to Clarence House, said: "It is a bit unnerving to look up and see a gun. They were much more relaxed before the ceasefire ended."

Police officers with dogs were out in force, helicopters hovered overhead, and armed police were sighted in Whitehall. Armed officers stood by members of the Household Cavalry at Horseguards Parade. Hands were discreetly put over guns when tourists posed by the police for photographs.

Extra police officers were drafted in to patrol the perimeter fence at Kensington Palace, the home of the Princess of Wales, Princess Margaret and other members of the Royal Family. Literally were removed from outside Windsor Castle where soldiers, armed with automatic weapons, were again in evidence.

The Duchess of York has an armed bodyguard only on official functions. But Princess Beatrice and Princess Eugenie, her daughters, have constant security cover because they are direct heirs to the throne, as do Prince William and Prince Harry.

The Prince had begun his visit privately on Friday in Marrakech. But plans for a day's watercolour painting in the shadow of the Atlas mountains were washed out.

After lunching with King Hassan yesterday, he presented medical equipment to a cardiac unit at the Aïvicanne hospital in Rabat.

HEAVY rain greeted the Prince of Wales as he arrived in the Moroccan capital yesterday afternoon at the start of a two-day official visit, his second in less than a year.

The Prince, a guest of King Hassan, left his Ministry of Defence aircraft by the back door at Rabat airport, missing the red carpet laid out for him. He was greeted on the rain-soaked tarmac by Crown Prince Sidi Mohammed. The two then splashed along the line of a saturated guard of honour before making the 30-

second in less than a year.

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Prince splashes down in Morocco

FROM MARK HUBAND
IN RABAT

mile journey to King Hassan's hunting lodge at Bouznika.

The King, 66, looking pale and tired amid constant rumours of ill-health, had invited the Prince for lunch at the lodge rather than his palace in Rabat to fit in with his boar-hunting schedule.

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THE former Take That singer Robbie Williams was forced to pay an estimated £150,000 in costs yesterday after dropping legal action to release him from his recording contract hours before the case was due to be heard in the High Court.

About 30 teenage girls, some of whom had camped outside for most of the night, were first through the court doors to grab seats in the public gallery, but the hushed precision soon echoed to squeals of disappointment as they realised he would not appear.

The climbdown, agreed late on Sunday night between solicitors representing the 22-year-old singer and his

record company RCA, heads off a High Court action in which Mr Williams was due to argue his right to pursue a solo career with a different company.

The decision is a double blow for Mr Williams, who is said to be worried that since Take That decided to split up earlier this month the solo career of Gary Barlow, widely recognised to be the most talented member of the group, will take precedence over his at RCA.

After the two-minute hearing Mr Justice Lightman said: "The parties have been very sensible in settling this matter in this way and I congratulate them."

RCA, which owns RCA, issued a statement explaining that costs had

been awarded in its favour. The statement included a comment from Mr Williams, who was sacked by the other members of Take That in July for disagreeing with the group's cleaning code of conduct. It said: "I am extremely sorry that I ever brought this case to the court. I now fully accept the validity and enforceability of my BMG recording contract. I remain a BMG artist."

He had claimed that RCA had an exclusive call on his talents, which he said was an unreasonable restraint of trade and therefore unenforceable.

Mr Williams and his father were said yesterday to have failed properly to account for their dealings in The Jam's assets. The hearing continues.

Paul Weller, former singer and guitarist with The Jam, was sued yesterday for more than £100,000 by co-musicians of the long-disbanded group in a wrangle over royalties. Rick Buckler, drummer, and Bruce Foxton, bass guitarist, are taking action against Mr Weller and his father John, who acted as the group's manager.

The wrangle claims that when the group was formed in 1978 it was agreed that all royalties, except those for songwriting, would be divided equally. The Jam split in 1982 after a recording career that included 18 hit singles.

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Photograph, page 24

Climbdown costs Take That singer £150,000

BY JOANNA BALE

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Photograph, page 24

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Vernon Coleman

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The Village Cricket Tour will give hours of pleasure. A novel which describes the adventures and mishaps of a team of amateur cricketers who spend two weeks of their summer holidays on a cricket tour of the West Country and which has been compared to Jerome K Jerome's classic "Three Men in a Boat". "I enjoyed it immensely" wrote Peter Timmswood in Punch. "He has succeeded in writing a book that will entertain, a book that will amuse and warm the cockles of tired hearts." "Coleman is a very funny writer," said This England. "It would be a pity if cricketers were the only people to read this book." "Seminal reading includes de Selincourt and Blunden and should now embrace Vernon Coleman's latest offering, a whimsical piece about the peregrinations of a village cricket team on its summer tour," said The Cricketer magazine. "All the characters are here, woven together by a raft of anecdotes and reminiscences and a travelogue of some of the most picturesque spots in the south west." A marvellous present for all cricket lovers.

For a golf lover:

Anyone who likes golf will love **The Man Who Inherited a Golf Course**. This superb novel tells the story of Trevor Dukinfield who wakes up one morning to find that he is the owner of his very own golf club - fairways, bunkers, clubhouse and all. There's one snag: to keep the club he must win a golf match. And he's never played a round of golf in his life. "The scenario tailor made for Vernon Coleman's light and amusing anecdotes about country life and pursuits" said the Sunday Independent. "Very readable!" said Golf World. "Hugely enjoyable in the best tradition of British comic writing" said the Evening Chronicle. "The mix of anecdotes and moments of sheer farce make for an absorbing read" said the Evening Telegraph. A terrific present for anyone who enjoys golf. Far more fun than another pair of socks or a bottle of aftershave.

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Teacher used bogus degree to become headmistress

By DAVID CHARTER, EDUCATION CORRESPONDENT

A HEADMISTRESS who improved examination results and morale at her secondary school was arrested in her nightdress and sacked after it was discovered that she had lied on her application form.

Alison Durbar enhanced her chances of becoming head of Haslington High School in Walton-le-Dale, Preston, by pretending to have a Bachelor of Arts degree from the Open University. She added O and A-level passes to her qualifications and said she was doing research for a doctorate.

Durbar, 46, also inflated her salary by lying about a predecessor's pay. Manchester Crown Court was told yesterday.

Her two years in charge of the 1,300-pupil school came to an abrupt end in December 1994 when police arrived at her Preston home at 7am. The house was searched and Durbar arrested.

Detectives were called in by school governors after a tip-off from the three deputy heads who had found documents about Durbar's pay.

The court was told that during her tenure there had been an improvement in GCSE results and in the school's standing in the community. Judge Bourke said the school had not suffered by her

false claims. In 1994, 46 per cent of pupils gained five or more GCSEs at grades A to C but in 1995 the figure was 49 per cent.

Durbar was sentenced to one year on probation and ordered to pay £2,000 costs. The judge told her: "It would be wrong to deprive you of your liberty. You are the ultimate casualty. You invented your qualifications to get this post and as a result you dealt a death blow to your career. You have thrown away your excellent record."

Durbar, formerly deputy head at a school in Cornwall, admitted obtaining her position by making false claims. She also admitted obtaining £4,017 by alleging that she was on a lower pay scale than a predecessor.

Roderick Carus, QC, acting for Durbar, said she was a "hardworking woman with gifts for teaching and organisation". She was conscientious and diligent as head teacher. She improved the morale and the academic achievements at this large school. Durbar introduced a breath of fresh air with her efficiency and industry.

Alan Conrad, for the prosecution, agreed that Durbar was a very experienced teacher and an able administrator. In the summer of 1992 she was appointed deputy head on the strength of claiming she had eight O levels, two A levels and a BA from the Open University.

A few months later she successfully applied for the head's post, saying she had an honours degree, and was studying for a doctorate at two universities. Mr Conrad said: "She did not have an honours degree or diplomas and was not studying for a doctorate. She had only six O levels and one A level."

"Miss Durbar lied when she told the governors her predecessor had been on a higher grade. It led to her getting more pay."

Durbar: described as diligent and efficient

Boys aged 8 and 9 burn down school

TWO boys aged eight and nine yesterday admitted starting a fire that destroyed a primary school. They cannot be prosecuted because they are below the age of criminal responsibility.

Greencroft Primary School in Harlescott, Shrewsbury, will be closed for several months and its 300 pupils will be kept at home for at least a week while governors find temporary classrooms. The fire caused £500,000 damage to the school buildings.

Inspector Peter Jones of Shrewsbury police said: "We are not looking for anyone else in connection with the fire

after interviewing the two boys. They are aged eight and nine so, by law, below the age of criminality, but a report will be sent to us to social services." Legal experts said the families involved were unlikely to be sued.

Stewart Kidd, director of the Fire Protection Association, said 85 per cent of all schools fires started deliberately.

"Arsonists have been getting

increasingly younger. There

has been a growing number of children under the age of 14 committing arson, whereas ten years ago it was unusual to see a child of this age doing this," he said.

Sales of noble snack top £5m a day

By ROBIN YOUNG

WHILE sales of fish and chips, burgers and other takeaway food have lagged, according to the market researcher Mintel, sandwiches account for more than a third of the total fast-food market, which is valued at £5.2 billion a year, Mintel says in a report today. Sales flourished during the recession when consumers traded down to sandwiches in place of more expensive restaurant lunches. They have a

continuing advantage because the average lunch break has been reduced to 32 minutes and three in 20 workers stay at their desks through lunch, Mintel found.

The researchers found that many people eat sandwiches because they consider them healthier than other fast foods. One in three of those questioned, however, thought sandwich prices were too high.

The most popular fillings are prawn mayonnaise, chicken bacon lettuce and tomato and egg mayonnaise. Exotic varieties command 20 per cent of the market. Recent offerings have included alligator and kangaroo meat, and strawberries and cream on chocolate bread. Specialty breads include sour dough, ciabatta and walnut flavour.

Such innovations have raised the status of the sandwich to that of gourmet fare, Mintel says, but "these products will never replace fried-and-tested basics such as prawn and cheese with pickle, which have mass appeal".

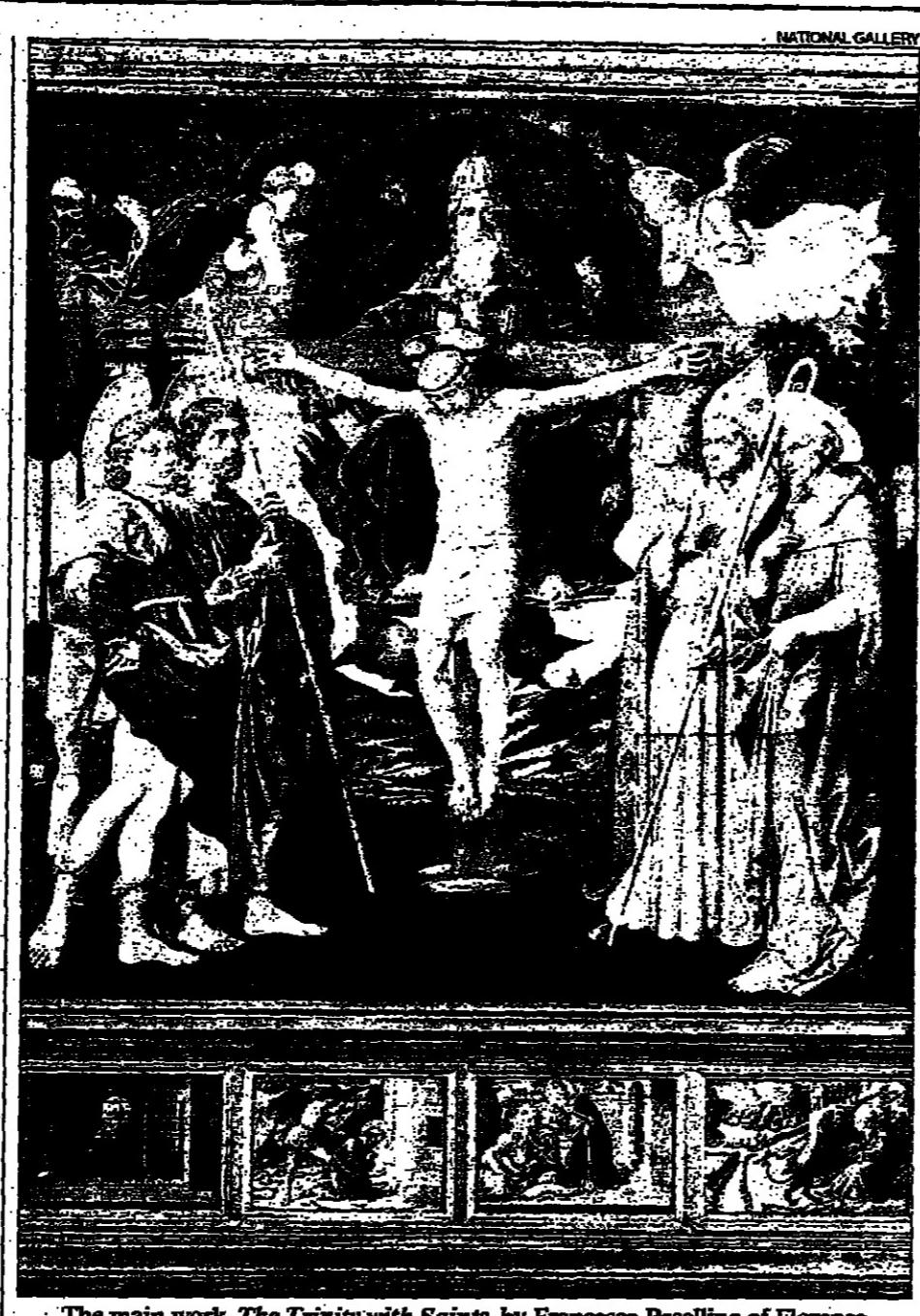
Mintel estimates there are now more than 8,000 sandwich bars in the country, and that most outlets offer a choice of 12 to 15 varieties. Sandwiches are also being sold in petrol filling stations and newsagents. Marks & Spencer believed to be the biggest retailer, sells three million a year from its Moorgate branch in the City of London.

Mintel said yesterday: "The sandwich is a popular option with shoppers, travellers and students. All appreciate the convenience of eating on the move and the ready availability and variety."

Sandwiches, Mintel, £500, telephone 0171-606 6000.

Lord Sainsbury of Drury Lane and Lord Sainsbury of Preston Candover KG (father and son) do not hold hereditary titles (report, February 16). Both are peers in their own right.

Of money raised for charity by Mrs M. D. L. Andrews, appointed MBE in the New Year's honour list (report, December 30), the Multiple Sclerosis Society received £91,024, part of which was used for a freehold purchase.



The main work, *The Trinity with Saints*, by Francesco Pesellino of Florence



The final missing panel, *The Vision of St Augustine*, by Fra Filippo Lippi

Fragment of masterpiece found after 200 years

By DALYA ALBERGE, ARTS CORRESPONDENT

A 15TH-CENTURY painting in the National Gallery is to be reunited with a panel missing from the masterpiece for 200 years. The fragment was discovered in the Hermitage State Museum in St Petersburg.

The panel, which depicts the Vision of St Augustine, belongs to Pesellino's Trinity Altarpiece, commissioned in 1455 for the church of the Compagnia dei Preti in Pistoia, near Florence. The church was destroyed by fire in the 18th century when, it is believed, the altarpiece was cut into sections.

The main tier was cut into five fragments and the five panels at its base were also separated, probably to make

it more saleable. Over the next 100 years the various pieces were put together by the National Gallery — one panel, a birthday present from Queen Victoria to Prince Albert in 1846, has been on loan since 1919 from the Royal Collection — until just one panel was missing.

It was found by Dillian Gordon, the National Gallery's curator of early Italian paintings, while examining infrared studies of works in the Hermitage collection. "It has the same technical features, such as the horizontal line of underdrawing drawn across the top and bottom of each panel marking off the limits of the composition," she said.

The panel, which the

Hermitage has agreed to lend to London, will be reunited with the altarpiece at an exhibition at the National Gallery next month.

Pesellino (c.1422-57), a Florentine about whom little is known, died before the altarpiece was finished. It was completed by another master, Fra Filippo Lippi (c.1406-69), whose pupils included Botticelli. Lippi, who collaborated with Pesellino on another altarpiece, painted the missing panel.

Closer examination of the division of labour reveals the differences in style and technique. Dr Gordon said: "It is wonderful to have that final piece of the puzzle slotted in."

Cancer consultants refuse to ration care in cash crisis

By JEREMY LAURANCE, HEALTH CORRESPONDENT

CONSULTANTS at a cancer centre that turned away terminally ill patients because it was short of money have told hospital managers they will not ration care.

Specialists at the Bristol Oncology Centre have written to Hugh Ross, chief executive of the United Bristol Healthcare Trust, which runs the centre, saying that it would be invidious to expect them to decide who should receive treatment.

Earlier this month the centre disclosed that it was turning away terminally ill patients to concentrate on treating those that it had some chance of curing, because of a shortage of funds.

The centre, which is treating 25 per cent more patients than a year ago, faces a £100,000 overspend this year. It has closed a ward, taken one of its radiotherapy machines out of service and left some staff posts unfilled.

In the letter, the consultant oncologists say it is impossible to save significant amounts of money this year by cutting back the service. Reducing standards would be "professionally unacceptable... We provide a normal standard oncology service provided by any regional centre and our

spending is in no way profligate."

In a challenge to Avon health authority, the main funders of the centre, the consultants say that if the service is to be restricted, patients must be told "why they are not receiving a level of care comparable to that in other parts of the country."

The issue is to be raised in an adjournment debate in the Commons today by Dawn Primarolo, Labour MP for Bristol South, who said the cuts were appalling.

One consultant at the centre said that patients were being brought in to have their treatment planned and were then sent away, often in pain, for three weeks until they reached the top of the waiting list. "Targeting the dying is just impossible," he said. "The radiographers and nurses get upset. It's a bad situation. We just haven't felt able to refuse treatment."

Dr Margaret Spittle, Dean of Clinical Oncology at the Royal College of Radiologists, said that the incidence of cancer was increasing as the population aged and as scientific advances meant that more patients could be treated. "Resources have not kept up with these trends," she said.

Club for old-timers splits village

By JOHN YOUNG

THE peace and harmony of a Berkshire village is threatened by a proposal to form a club restricted to residents of at least 25 years' standing.

The villages of Swallowfield, Risley and Farley Hill form a single parish about six miles south of Reading, with a total population of about 2,000. They were once farming communities but about half the adult working population now have jobs in the nearby towns of Reading, Bracknell, Wokingham and Basingstoke, while the rest commute further afield, mainly to London.

The idea is to be raised in an adjournment debate in the Commons today by Dawn Primarolo, Labour MP for Bristol South, who said the cuts were appalling.

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put forward by Bob Young, a parish councillor, who said there were fears that the running of Swallowfield could be hijacked by a few articulate outsiders. Meanwhile the older families have less and less to do with decisions affecting the village's future."

But it has upset some residents, including John McDonagh, a garage owner, who would be excluded from the club since he has lived in Swallowfield for only 23 years. "They're behaving like a bunch of idiots," he said. "The people who run the parish council and the village hall are very good at setting things up for their own clique, but so far

as they're concerned the rest of us don't."

"I have another shop in Risley and a lot of people there feel left out because the people here in Swallowfield seem to think they're superior."

Celia Adams, the clerk to the council, was doing her best yesterday to smooth ruffled feathers, insisting that the proposal had been misunderstood. "It is intended to bring people together rather than be divisive," she said.

"It goes in hand with a welcome pack which we are preparing for newcomers... it's not a case of some old councillors getting together to exclude the others. Quite the

reverse. The whole idea was that a group of people who might feel excluded from things should have a voice.

There is a wealth of knowledge and experience that might get lost unless some special provision is made to make sure their views are heard."

Fred Holloway, who also just fails to qualify, agrees. "It makes sense to have people who are wise and experienced working for the good of the village. I've never found Swallowfield an unfriendly place," he said. "But it's somewhere where you have to be prepared to muck in. You have to go to the pub, the church and the shop to meet people."

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Bingham finds no fault with minimum prison sentences



BY FRANCES GIBB
LEGAL CORRESPONDENT

THE Home Secretary's plans for tougher sentencing, which have created a rift between judges and ministers, have won limited support from one of the country's most senior judges.

In his first public comment on the plans, to be outlined in a White Paper in the spring, Sir Thomas Bingham, Master of the Rolls, says proposals for minimum sentences (for repeat burglars and drug traffickers) are neither novel nor unconstitutional.

Sir Thomas is cautious to come down on one side or the other on the merits of Michael Howard's plans. There is room "for rational argument whether it is desirable to re-

strict the judges' sentencing discretion in the way suggested". But the measures would not amount to infringing their constitutional independence. "As Parliament can prescribe a maximum penalty without infringing the constitutional independence of the judges, so it can prescribe a minimum."

Sir Thomas's intervention comes days after he publicly backed Sir Nicholas Lyell QC, the Attorney-General, over the latter's interpretation of the law on public interest immunity certificates. Sir Richard Scott's view of the law on public interest immunity certificates "was not one that all judges and practitioners would have shared", he said.

The sentencing proposals are unusual in that minimum sentences, which already exist for other of-

fences, are to be extended to more serious offences, "restricting the discretion of the sentencing judge to impose a lesser sentence in such cases", Sir Thomas says.

He adds that "the rationale underlying these proposals is not hard to understand. Scarcely a day goes by without a newspaper report of stomach-turning violence."

There is a clear public need, he says, that defendants convicted of serious violence should be, and be seen to be, seriously punished. "The citizen is entitled to expect the legal system to protect him and there is a widespread sense of insecurity."

Sir Thomas does accept that the disquiet of his judicial colleagues—including the Lord Chief Justice—is "intelligible". He says that the freedom to temper a sentence to the

crime—or mercy—is part of justice, and that "populist clamour" is not the best benchmark for sentencing policy. He also accepts that mandatory life sentences, which the Home Secretary proposes for repeat rapists and other violent offenders, had not worked well in the United States, according to many observers.

Sir Thomas's comments, made in an unreported speech ten days ago at King's College London, come in the wake of a series of criticisms from senior judges over Mr Howard's proposals. The Lord Chancellor, the Lord Chief Justice, the former Master of the Rolls and Lord Justice Rose have all expressed concern about the measures.

The Master of the Rolls, in the same speech, also defends judges in

the face of charges of bias against the Home Secretary or of playing politics. Judges have been accused in the media and by some MPs of being "too big for their court shoes" and of using judicial review as a means of wresting power away from ministers and arrogating it to themselves.

"I regard these lines of criticism as wholly untenable," he says. Sir Thomas also denies "any judicial bias against the Home Office or that the Home Office is the victim of exceptional reverses in the courts". His comments will pour oil on troubled relations between judges and the Home Office, where some officials have voiced the view that judges are "gunning" for them. Sir Thomas said that the Home Office, by the nature of its work,

MARTIN BEDDALL

'Appearance of fairness' lacking

Howard attacked by judge over silence on Fayeds

BY RUSSELL JENKINS

A HIGH COURT judge urged Michael Howard yesterday to explain to Mohamed Al Fayed, the chairman of Harrods, and his brother Ali why he had rejected their applications for British citizenship.

Mr Justice Judge turned down the Egyptian-born brothers' application for a judicial review but questioned whether it was "appropriate" that the Home Secretary should have such wide-ranging powers of discretion. Although Mr Howard had acted lawfully when he turned down their request for naturalisation a year ago, his decision "lacked the appearance of fairness".

The Harrods chairman, 63, and Ali Fayed, 52, are abroad on business but their representatives immediately said that they would appeal. Outside the High Court, Michael Cole, director of public affairs for Harrods Holdings, said the judge's comments were proof that the Fayeds had been treated unfairly by government ministers.

The judge clearly said it was unfair though lawful," Mr Cole said. "We believe that he asked the Home Secretary to reconsider his position. Obviously we shall appeal with every confidence of being upheld."

Mr Justice Judge made plain that he sympathised with the Fayeds and described the Home Office letter telling



Mohamed Al Fayed, top, and Ali are to appeal

them that their applications were rejected as "terse in the extreme". The growing trend in recent years had been towards greater disclosure by decision-makers.

Suggesting that Mr Howard might like to think again and to say why he made his decision, the judge said: "Having established the principles for which he has contended, it is now open to the Secretary of

State to reconsider as a matter of his discretion whether he should provide these particular applicants with some indication of the reasons which led to the refusal of their application for citizenship."

At a two-day hearing last week the court was told that the brothers had been "left in the dark with rumours swirling around their heads" after the Home Office threw out their applications for naturalisation without giving any reasons.

The brothers' counsel argued that the uninformative letter from the Home Office amounted to "the epitome of closed government". Michael Beloff, QC, said there had been speculation that "legally improper, purely political considerations" were behind the decision. These were "very live" concerns that could be allayed fairly and properly only if the reasons for denying citizenship were given.

There was no mention in court that Mr Al Fayed was the key source of the "cash for questions" allegations which fuelled a political scandal in Westminster last year. Neither did counsel refer to speculation that the refusal of citizenship amounted to political revenge after the Trade Department inquiry into the millionaire businessman's take-over of Harrods.

Mr Beloff said the Fayeds had made Britain their home since the 1960s. They had a close affinity to it and had made enormous financial contributions in taxation and donations to charities. Their children were already citizens.

Mr Justice Judge said that however desirable it might seem to the applicants "and indeed the court", the Secretary of State could not be required under the powers of the 1981 British Nationality Act to give his reasons. Such a fundamental constitutional principle could be amended only by Parliament.

The judge also rejected the argument that Mr Howard had acted with procedural unfairness in breach of the rules of natural justice. "On the uncontradicted facts of this case, divorced from the statutory context, the process lacks the appearance of fairness, but that of itself does not render the decision unlawful."

The Fayeds' spokesman clearly found the judgment both encouraging and frustrating. Royston Webb, legal director of Harrods Holdings, said: "The judge summed up the matter in his last sentence when he asked the Home Secretary to look again at these particular issues. The judge, obviously, felt hamstrung by the statute which, perhaps, is out of date."

Stephen Richards, counsel for the Home Office, said the Dominicans were angry about the arrangement Britain and Dominica had come to over the dissident but their anger was not directed at Dr Masari personally. The hearing continues.

Saudi dissident 'at risk if deported'

BY A STAFF REPORTER

THE Islamic dissident Muhammad al-Masari could face violent opposition if deported from Britain, an appeal hearing was told today.

John O'Connor, a former Flying Squad commander who runs a security consultancy, said feelings in Dominica were running high against the deportation.

Mr O'Connor visited the Caribbean island to compile a security assessment for Dr Masari's lawyers. Yesterday he told the third day of the Immigration Appellate Authority hearing in London: "There was a volatile reaction to the notion that Dr Masari, in their words, was being dumped in their country."

"Every person I spoke to—every taxi driver, every person I spoke to in the bars—was against him coming. They talked about having a violent demonstration at the airport

when he came in. They would prevent him leaving the aircraft and, if they couldn't do that, prevent him leaving the airport."

"I don't think the police force has sufficient manpower and equipment to offer him long-term protection."

Dr Masari, who heads the fundamentalist Committee for the Defence of Legitimate Rights, arrived in Britain from Saudi Arabia in 1994. His allegations of corruption and calls for a peaceful transition to Islamic rule in his country have infuriated the Saudi royal family.

Stephen Richards, counsel for the Home Office, said the Dominicans were angry about the arrangement Britain and Dominica had come to over the dissident but their anger was not directed at Dr Masari personally. The hearing continues.

Canon warns cathedral of bankruptcy danger

BY RUTH GLEDHILL
RELIGION CORRESPONDENT

SHEFFIELD CATHEDRAL faces bankruptcy if its congregation does not give more, according to its senior clergy. In a stark warning in next month's cathedral newsletter, *Chapter & Verse*, the treasurer says that the cathedral is living beyond its means and could go under in five years "if we don't do something about our finances—and do it speedily".

He says that there is no "pot of gold" and, even when all possible savings are made, the cathedral will still be in the red. If the congregation does not give more, he says, the only option will be job losses or even bankruptcy.

Sheffield is one of many cathedrals in financial difficulty because of cuts in grants from the Church Commissioners, who manage the £2.4 billion assets of the Church of England. Its portfolio was reduced by millions of pounds in the 1980s property market crash.

Canon Christopher Smith, writing in *Chapter & Verse*, says: "As canon treasurer I have to let you know that our financial situation here is not good. In fact, it is very worrying." He says he is preparing for a working deficit of £40,000 this year, a similar picture to last year, and at the present rate the cathedral's capital reserves will be exhausted in five years.

Canon Smith warns of stark choices facing the cathedral. "We either continue upon our present course—that way leads to bankruptcy. Or we radically cut our expenditure—that leads to redundancies, and a reduced service to diocese and city. Or we raise income dramatically—that leads to maintaining the status quo."

The cathedral employs 15 people, including two secretaries, four vergers, one master of music and one assistant master of music. One verger said: "It is a busy place. I can't see it functioning with fewer people. You never think of redundancies in the church. You tend

to regard it as different to industry. They want to increase income, but if they can't they'll have to cut costs somewhere along the line."

The commissioners' grant has been cut by £10,000 over three years while donations remain static and costs rise. Sheffield Cathedral, which provides breakfast for the homeless and unemployed, has a parish of 600 people and a negligible proportion of these worship there each Sunday. About 350 attend church on Sunday, but most are from outside the parish.

Sheffield is one of the nine poorest cathedrals in the country, with a tourist income of less than £10,000. All nine of the poorest are like Sheffield, parish church cathedrals, founded since the latter part of the 19th century and incorporating existing parishes and congregations.

Sheffield Cathedral is a popular resting place for shoppers and city workers looking for an oasis of peace during the day. The Very Rev Ray

Fornell, Dean of York and chairman of the Association of English Cathedrals, said: "Many cathedrals are working to a deficit budget." He said some were being forced to cash in legacies and assets to pay the bills. His former cathedral at Bury St Edmunds is another facing financial difficulties this year.

David Cockram, a stockbroker and cathedral warden at St Edmundsbury, which has applied for millennium funding to complete urgent building work, said the cathedral was budgeting for a deficit of £50,000 this year because of the cuts in grants from the commissioners. The cathedral made a healthy profit last year.

The accounts at Bradford Cathedral, which is the country's least well-endowed and which had a slight deficit last year, are expected to be back in the black this year. David Barker, lay treasurer, said: "We just about break even, but we have to be careful. We have a very generous congregation."

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Lottery lure hits charities

BY RUTH GLEDHILL

CHURCH leaders have expressed concern about the effect of the National Lottery on charities, after a report disclosed that voluntary giving had fallen to its lowest level since the lottery was launched.

A spokesman for the Archbishop of York, Dr David Hope, said that he was "concerned that donations to things such as *The Week's Good Cause* on BBC Radio 4 are not jeopardised. He fears that many people wrongfully believe that when they buy a lottery ticket, some of their money is going to the kind of charity it does not seem to be going to."

The Bishop of Worcester, the Right Rev Philip Goodrich, said it would be very sad

if the nation lost its tradition of charitable giving. "I don't want always to sound like a Jeremiah," the bishop said. "I have no doubt the lottery will make contributions to community funds and I hope that that voluntary societies will benefit. But it does have to be consistent."

"Large voluntary societies have considerable numbers of professional staff on contracts and cannot cope with this unless their income is consistent and assured."

The NOP survey for the National Council of Voluntary Organisations showed that, compared with 1992 and 1993, the proportion of those giving to charity fell by 13 per cent in December and by 11 per cent in January. Of those polled, 64

per cent gave to charity in January, the month when there were two double rollover jackpots in excess of £40 million. This was the lowest proportion the council had recorded since the first National Lottery draw in November 1994.

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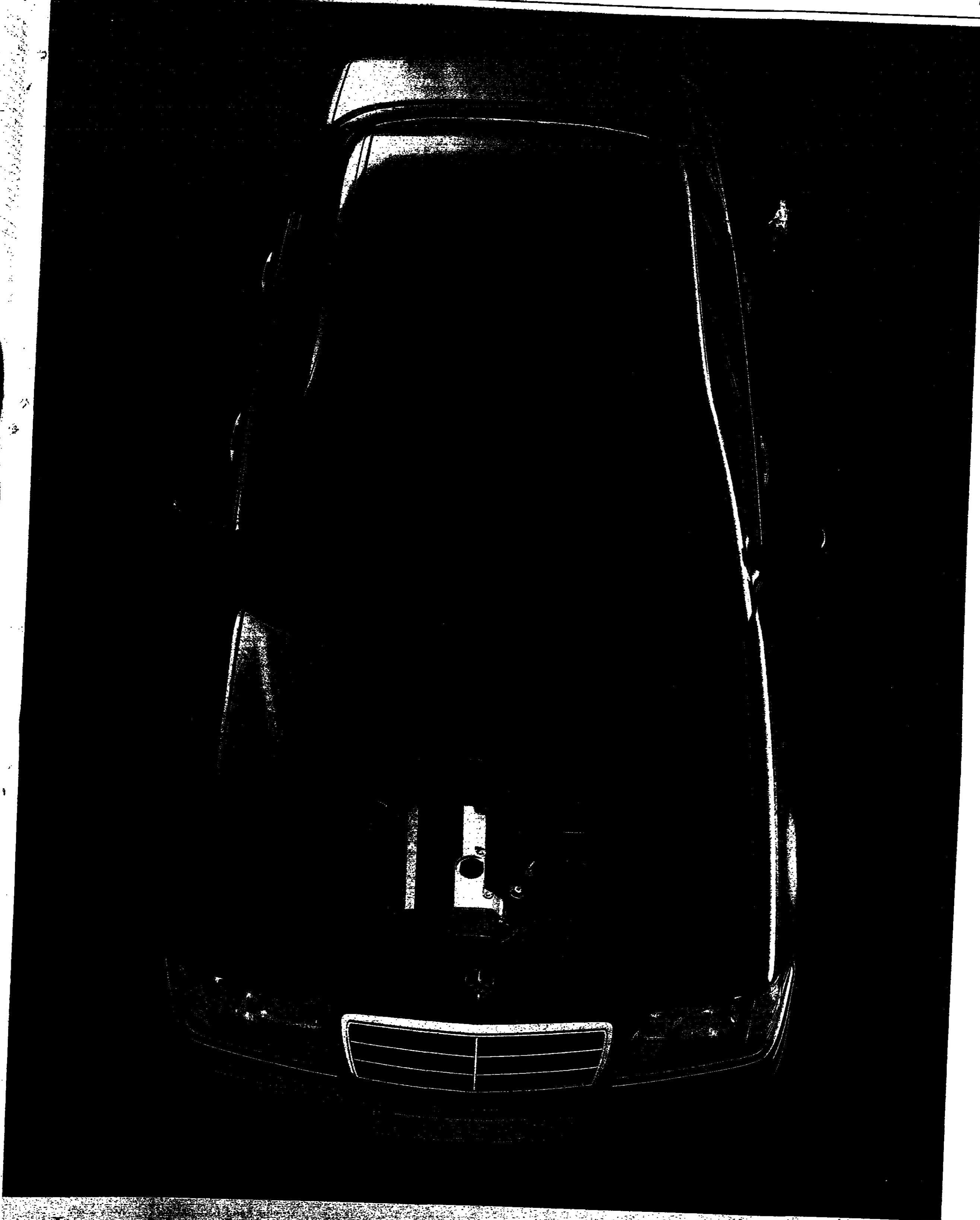

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Arms to Iraq: Ministers' behaviour attacked in the Commons but defended in the Lords

Cook condemns Government that 'knows no shame'

BY JAMES LANDALE AND ARTHUR LEATHLEY

ROBIN COOK accused ministers yesterday of acting without shame over the Scott report.

The Shadow Foreign Secretary rounded on members of the Cabinet, particularly the Prime Minister, for their continual denunciation of Labour's position on the arms-to-Iraq affair. Referring to John Major's claim three years ago that accusations that Parliament had been misled were "scurrilous", Mr Cook said: "Far from being scurrilous, it was entirely accurate."

He added: "This is not just a Government that knows not how to accept blame. It is a Government that knows no shame."

He made the accusation during a six-hour Commons debate in which Ian Lang, the President of the Board of Trade, announced government proposals concerning ministerial accountability and the way in which information on arms sales is given to MPs.

Mr Lang said that the Government accepted Sir Richard Scott's criticisms over the distribution of intelligence material and over export controls and licensing procedures. Ministers were prepared to accept Sir Richard's request for a re-examination of the long-standing practice that ministers do not answer parliamentary questions on defence sales.

The Government had now published a document setting out the present rules on how Parliament is informed about arms exports, he said. Ministers would consider what changes needed to be made and bring forward proposals to the Commons.

Mr Lang also asked the Public Service Select Committee to extend its investigation into the accountability of government agencies to cover ministers.

On the role of Customs and Excise in the affair, Mr Lang said the Government accepted the need for greater supervision by the Attorney-General's office of Customs and Excise prosecutions in relation to export control matters.

He accused Mr Cook of misleading the country by claiming that the Government armed Saddam Hussein and conspired to let innocent men go to prison. Both charges are completely rejected by the report, he said.

"He now tries vindictively and contemptibly to shift his ground in order to continue

his odious smear campaign," Mr Lang said, adding that Mr Cook was unfit to be trusted either by the House or by any foreign country.

Mr Lang said that the legal advice on public interest immunity (PII) certificates given by the Attorney-General in Matrix Churchill trial was correct at the time. However, the Government would consider the report's recommendations on PII in light of developing case law and Sir Richard's view that time was opportune for "collective reappraisal by ministers".

Mr Lang accused Labour of selling lethal weapons to Iran and Argentina during the late 1970s, whereas the Scott affair concerned only parts of military-related equipment.

But Mr Cook said that Mr Lang had failed to suggest specific proposals in the light of the Scott report. "What I do find surprising is that, now having had 18 days to study the report, you still could produce no proposal as to what might be done to strengthen ministerial accountability."

The whole affair had underlined the need for a freedom of information act. "It was secrecy that made this scandal possible. The five volumes of

Mr Cook appealed to Tory MPs to vote against the Government. "They should not look at tonight's vote as to whether or not it is a defeat for the Government, they should look on it as a vote which will decide the quality of the democracy in which we live."

If Tory MPs backed the Government, they would convince the public that it was an arrogant Government that had been in power too long to remember that it was accountable to the people. Parliament could not ignore the findings of the Scott report that MPs were "designedly misled" and that ministers had "consistently failed in their duty of accountability to the House".

Mr Heseltine, the Deputy Prime Minister, took the unusual step of intervening in a debate opened by a Cabinet colleague as he rejected Mr Cook's claims that ministers had tried to prevent a fair trial of businessmen charged with breaking export laws over the sale of arms to Iraq. He denounced "hollow and synthetic allegations" by Mr Cook.

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that they had been acquitted of the most serious charges saw them through the first Commons exchanges but quickly began to unravel when the full extent of Sir Richard Scott's criticisms became apparent. This was apparent in the Commons yesterday.

Ian Lang made the speech he should have given as a statement ten days ago. It was a solid defensive performance. He admitted that the Government had made mistakes and accepted many of the Scott report's detailed proposals on export control guidelines and prosecution procedures. He also promised to consult about openness on arms sales and it is time for a change.

The Government's tactics all along have been to get rid of the issue as quickly as possible. Ministers' initial attempts to claim

that they had been acquitted of the most serious charges saw them through the first Commons exchanges but quickly began to unravel when the full extent of Sir Richard Scott's criticisms became apparent. This was apparent in the Commons yesterday.

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Robin Cook arriving at the Commons for yesterday's debate on the Scott report

Sick and injured put party's welfare first

BY JILL SHERMAN, POLITICAL CORRESPONDENT

THE whips spent most of yesterday frantically trying to ensure that sick and injured MPs would turn up for the vote.

Terry Patchett, Labour MP for Barnsley East, who has been seriously ill with cancer for several months, was making the journey to Westminster by ambulance although he had earlier been described as too ill to travel. He was expected to be "nodded through", a practice that enables sick MPs to vote without having to walk through the division lobby.

David Jamieson (Lab, Plymouth Devonport), who had a heart operation only last week — "it was just short of a bypass" one whip said — also agreed to turn up, as did John Fraser (Lab, Norwood). Mr Fraser amazed MPs in December when he arrived in a

neck brace, after a bad car crash, to help Labour to defeat the Government over the common fisheries policy. He had an operation on his neck last week but was planning to make his own way to the Commons' last night. In December he came straight from hospital bus.

Other walking wounded Labour MPs due to attend included Terry Lewis (Worsley) Mark Redmond (Don Valley) and Jimmy Dunnachie (Glasgow Pollock) — all of whom have been away ill for some time.

Tory business managers had ensured that Sir Julian Critchley (Aldershot) was safely ensconced in Westminster in his wheelchair hours before the vote was announced. The Tory whips claimed that all their other backbenchers were "fighting fit" and no MP was

paired with the Opposition. Each whips' office, however, was feeding as much misinformation to the other as possible in the hope of creating maximum confusion.

The Tory whips were particularly relieved to hear that a party of four MPs — three Tory and one Labour — had returned late on Sunday night from a business trip to the Falkland Islands. They had been warned to be back on time.

In December the Labour whips were furious when they found that at least three of their MPs had gone abroad without notifying them and failed to return for the fishing vote. This time both parties had enough time — ten days' notice — to gather their troops.

A Health Select Committee trip to Bonn arranged for this week was postponed.

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The interpretation of the guidelines evolved to keep pace with these developments without any need to change the guidelines themselves. On border-line cases, the Scott report clearly shows ministers and officials exercising enormous care in trying to reach decisions.

She supported several eminent judges who spoke in the Lords in support of Sir Nicholas Lyell, the Attorney-General. Lord Lloyd of Berwick, one of the law lords, was cheered for an eloquent speech defending Sir Nicholas' decision to use the public interest immunity certificates in the Matrix Churchill trial. He said that according to legal

Guidelines were reinterpreted but not changed, says Thatcher

BY ALICE THOMSON, POLITICAL REPORTER

BARONESS THATCHER came to the aid of the Government with a robust defence of its policy in the arms-to-Iraq affair.

In her first public comment since the report was published, she told peers that there had been no change in government guidelines on the export of defence-related equipment to Iraq in the late 1980s when she was Prime Minister. "If there was no change in the guidelines — and there was not — then the question of deliberately misleading the House does not arise," she said.

Speaking to a packed Upper Chamber, Baroness Thatcher gave her full support to William Waldegrave, who was once her Foreign Office minister, and to Sir Nicholas Lyell, the Attorney-General. She said: "I am sure there was never any intent to mislead on the part of Mr Waldegrave or any other minister and Sir Richard Scott himself concludes there was no duplicitous intent."

She strongly disagreed with Sir Richard that guidelines had been "surreptitiously changed" in 1988-1989 and had not been reported to Parliament. Sir Richard's report shows there were discussions among junior ministers and officials about possible evolution of the guidelines in 1988-89. I was not aware of those discussions at the time but I would not expect to be told every detail of the handling of the guidelines.

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Germans hold two terror suspects

By ROGER BOYES

GERMAN police appeared yesterday to have scored their first big success against a terrorist group that has been targeting politicians and political offices.

Two men were detained near Hamburg on suspicion of taking part in bomb attacks and belonging to a left-wing extremist group, the Anti-Imperialist Cell. Explosives were found in their car. One man lives in a flat near the large British army base in Mönchengladbach.

The Anti-Imperialist Cell appears to be made up of relatively young terrorists who disagreed with the decision taken in 1992 by the Red Army Faction, which was generally acknowledged to be the heirs to the Baader-Meinhof gang, to renounce violence.

However, the cell has been bombing mainly the offices and homes of second-league politicians, including Joseph-Theodor Blank, a Christian Democrat deputy and Volker Kühler, the former Christian Democrat junior minister.

Security sources describe them as "weekend terrorists". They have never struck on a weekday, suggesting that they have regular Monday-to-Friday jobs.

The Red Army Faction lived underground, constantly changed flats and depended on a wide net of sympathisers for money, false documents and getaway cars.

One theory is that the cell is essentially a group of about thirty well-educated men and women, living mainly in the Ruhr region and perhaps teaching in schools or universities there. Their lack of a formal terrorist hierarchy has made them particularly difficult to catch.

Bonn anger deepens over criticism by Washington

By ROGER BOYES IN BONN

GERMANY is becoming increasingly irritated by criticism from the United States over Europe's handling of the Bosnian crisis. Helmut Kohl's apparent election boost for President Yeltsin and Bonn's fledgling attempts to forge a European defence identity.

The friction became obvious at the weekend when an unnamed "senior diplomat" briefed German journalists about the differences on Bosnia between the European Union and the United States.

Observers believe that the diplomat must have been Klaus Kinkel, the Foreign Minister, or somebody who knows intimately Kinkel's private concerns. Bonn's worry is that the Clinton Administration will exploit American foreign policy for electoral gain over the coming months.

The "senior diplomat" told the *Frankfurter Allgemeine Zeitung* that America was misrepresenting its achievements in Bonn, declaring that the military implementation of the Dayton accord was proceeding well (thanks to America) while the civilian effort was faltering. Washington should remember that both military and civilian tasks in Bosnia were "the responsibility of the same group of states". Europe was supplying more troops than America. It was not right for Washington to criticise Carl Bildt, the High Representative, because his efforts to reconstruct the economy and society of Bosnia were dependent on donor states. The EU had made its financial contribution, the diplomat said, but America had not.

Harry Kinkel visited Mostar ten days ago, but Bonn's irritation with the American attitude predates that trip. The Germans were as annoyed as the British when Richard Holbrooke, the former US mediator, accused Europe of "sleeping through the Aegean crisis". There has also been criticism about German policy towards Russia before, during and after the German leader's visit to Moscow last week. The Clinton Administration viewed the visit as German election support for Mr Yeltsin.

Other sources of friction between the United States and Germany include:

- Germany's eagerness to offer Russia a full seat in the Group of Seven club of industrial nations. America wants to retain the present G7-plus-one arrangement.

- Bonn's enthusiasm for extending the Control Group on Bosnia — Britain, France, Germany, America and Russia — to other spheres. The Clinton Administration fears Moscow could become a blocking force in global management.

- Bonn is pressing for a high-level Nato session in Berlin in early June. Washington, by contrast, wants to muzzle all talk about Nato's eastward enlargement until after a new Russian President is elected that month.

- Despite a plainly pro-American bias in the higher echelons of the Administration, there is American nervousness about Franco-German plans to "Europeanise" Nato. American diplomats say Washington has nothing in principle against a European defence identity, but much depends on how that identity is shaped at the coming intergovernmental conference.

- Brussels' Hans Koschnick, the EU administrator in Mostar, resigned yesterday, but said he would stay on until the EU mandate in the divided Croat-Muslim city expired in July if a replacement was not found. (Reuters)

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- Bonn is pressing for a high-level Nato session in Berlin in early June. Washington, by contrast, wants to muzzle all talk about Nato's eastward enlargement until after a new Russian President is elected that month.

- Despite a plainly pro-American bias in the higher echelons of the Administration, there is American nervousness about Franco-German plans to "Europeanise" Nato. American diplomats say Washington has nothing in principle against a European defence identity, but much depends on how that identity is shaped at the coming intergovernmental conference.

- Brussels' Hans Koschnick, the EU administrator in Mostar, resigned yesterday, but said he would stay on until the EU mandate in the divided Croat-Muslim city expired in July if a replacement was not found. (Reuters)

Quinn to be a father at 80

FROM AGENCIE FRANCE-PRESSE IN BONN

THE 80-year-old actor Anthony Quinn is to be a father for the 13th time, he told the *Bild* newspaper in its edition yesterday. The child will be a boy, he said.

Quinn, left, who also has a two-year-old daughter, Antonia, told the paper that he agreed to have the baby, which is due in July, after his 33-year-old companion, Kathy Benvin, convinced him it would be a good idea.

She told me "when you're gone, I won't have anything to remember you by" and so with the children she keeps a part of me." The secret to his good health was a regular diet of salads, long walks, no smoking and no drinking, the actor said.

He added that his biggest regret was not marrying his first love at the age of 18 because he was too young. She was 36.

She told French television: "I hope that Mme Clouzot will be correctly compensated and treated properly." Ms Stone, who is in France to promote

Isabelle Adjani, left, and Sharon Stone in a scene from new version of *Les Diaboliques*, filmed in Pittsburgh

Director's widow moves to ban Sharon Stone film from Cannes

FROM BEN MACINTYRE IN PARIS

THE widow of the great French film-maker Henri-Georges Clouzot has announced she will sue over an American version of her husband's 1955 classic *Les Diaboliques*, claiming that it was made without her permission.

The film, starring Sharon Stone and Isabelle Adjani, is due to be released at the Cannes Film Festival in May but Mme Clouzot claims she owns the rights to all her late husband's work and was not consulted about the remake.

"I learned the Americans were filming *Les Diaboliques* from a press clipping at my hairdresser's," Mme Clouzot said. "Nobody warned me I am the sole beneficiary of the rights to my husband's works, so the producer has acted completely illegally."

On Sunday night Ms Stone, a cult figure in France who was made a Knight of the Order of Arts and Letters in October, weighed in on Mme Clouzot's side, declaring she was "ashamed to be associated with a production which appears to have been carried out in an improper way".

She told French television: "I hope that Mme Clouzot will be correctly compensated and treated properly." Ms Stone, who is in France to promote



A poster for the 1955 classic directed by Clouzot

her latest film, *Casino*, said that she was told before she began filming that Mme Clouzot had been paid.

Mme Clouzot, the second wife of the film-maker, insists she was offered only a "handful of dollars" by the Americans. She has retained a French and an American law

yer and plans to take her case to the French Ministry of Culture to prevent the film from being released. "Too bad for the Cannes festival," she told the newspaper *Le Journal du Dimanche*.

In the new film, Ms Stone stars in the part played by Simone Signoret while Mme

Clouzot, who died in 1977, was inspired by a novel to which he bought the rights.

Those rights have since been purchased by the American film-makers, but Mme Clouzot insists that her husband's film bore little relation to the book and has its own copyright.

EUROPE SUMMARY

French attack on Britain

Brussels: France launched a blistering attack on the European Commission yesterday, accusing it of blindly trying to negotiate free trade deals with the whole world.

"It was a furious attack on the Commission and on Trade Commissioner, Sir Leon Brittan," one Swedish diplomat told reporters during a meeting of European Union foreign ministers.

The attack was launched by Pierre de Boissieu, France's EU Ambassador, after Michel Barnier, the European Affairs Minister, tactfully left the room, diplomats said. (Reuters)

Claims disturb Menem's visit

Paris: New claims about the murder of two French nuns during Argentina's "dirty war" cast a shadow over the start of President Menem's visit to France (Ben Macintyre writes). An Argentine officer, Captain Adolfo Scilingo, said the nuns, who vanished in 1977, had been thrown into Rio de la Plata Bay.

The nuns were abducted by Captain Alfredo Astiz. A French court condemned him to life imprisonment in absentia. He was ordered into retirement two months ago.

Russian troops quit Ingushetia

Sleptsovsk: Russian troops pulled out of the southern region of Ingushetia after local leaders accused them of spreading the war from Chechenia. Forces, including light tanks, crossed the border after leaving positions around Ingush mountain villages. Ruslan Aushev, the Ingush regional president, convened his security council at the weekend; it condemned the troop presence. (Reuters)

Palme killer 'will never be found'

Ten years after the assassination of Olof Palme, the detective leading the hunt for the late Prime Minister's killer said Sweden would probably have to come to terms with the murderer never being solved (Michael Binion writes). Hans Ollebro said several key witnesses and potential suspects had died.

Albania blast

Tirana: President Berisha of Albania accused former Communist secret police agents of responsibility for a car bomb explosion near a supermarket here which killed three people in the first terrorist act for generations. (AP)



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Peres blamed for bloodshed as paranoia over suicide attacks grips Jerusalem

Driver killed as fearful Jews fire on skidding car

FROM CHRISTOPHER WALKER IN JERUSALEM

TWO more people died in Jerusalem yesterday — victims of the nervous paranoia that has gripped Israel — just as some of the 25 Jewish victims of Sunday's suicide bombs were being buried amid heart-rending scenes of national grief.

Fearful that a skidding Fiat car was making another suicide attack, armed civilians opened fire and killed an Arab-American driver. The car hit and killed a pedestrian at a bus stop. But the driver who died, had, it appears, simply lost control of his hire car. Twenty-two people were injured in the incident.

Whatever the truth, many Israelis remain convinced that it was another attack on Jews. One man present claimed that the driver had shouted the Islamic war cry "Allahu Akbar" (God is Greater), although others could not substantiate this. Israel Radio issued warnings about the use of firearms by ordinary citizens — many of whom are legally armed — and claimed that at least one of the wounded was hit in the wild burst of gunfire.

The incident served to further intensify already dangerously high feelings that have seen political support plummet for Shimon Peres, the Labour Prime Minister. At the same time, calls for his murder — not heard since the assassination of Yitzhak Rabin last November — are again being made by right-wing extremists who blame him for the recent shedding of Jewish blood.

A poll published in the mass-circulation Tel Aviv daily, *Yediot Aharonot*, in the wake of Sunday's carnage, inflicted by Hamas terrorists disguised as Jews, showed the gap narrowing between Mr Peres and his main right-wing rival, Benjamin Netanyahu, the Likud leader.

Last week in the race for Prime Minister, Mr Peres had a 15 point lead. That is now

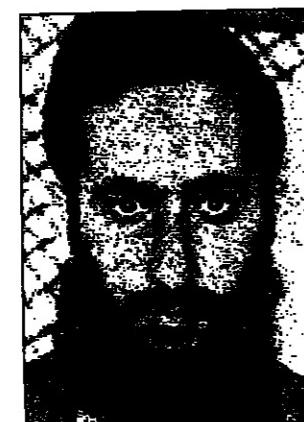
down to three points. The election has been called for May 29.

The paper also published individual photographs of the Israeli victims across its front page under the banner headline: "The Heart Breaks".

Shocked government officials tried to play down the significance of the poll, the first since the twin outrages in Jerusalem and the seaside town of Ashkelon. But ordinary Israelis support the findings of the respected Dafah Institute, which conducted the survey. "Hamas is doing the Likud's work for them. That is obvious to anyone," Shimon Asulin, a bank employee said.

Uri Dromi, the chief of the Government Press Office, struggled to put a more optimistic spin on the slump in backing for Mr Peres. "In the long range, I think it [public opinion] will change again because people will ask themselves what is the alternative to the peace process," he said.

But the right-wing *Jerusalem Post* summed up the gloomy and despairing mood that has gripped the country following the attacks, which have demonstrated increasing organisational ability on behalf of the suicide bombers. Particularly noted by Israeli



Al-Sharif: number one suspect for bombings

security experts was the ability of Hamas terror squads to mount simultaneous attacks, and thus maximise the effect of their campaign in a small country where almost every citizen has some family connection with the victims. According to Israeli security services the Hamas organiser of the bombings has been identified. Army radio reports named him as Mohieddin al-Sharif, an electrician from the West Bank town of Hebron.

"Even in this Orwellian age,



Students at a Jerusalem high school stand in silence at the start of classes yesterday in memory of the victims. Three were former pupils

Israel mourns as families bury their dead

FROM ROSS DUNN
IN JERUSALEM

RAIN, mixed with tears rolled off the faces of mourners at funerals for the victims of Sunday's Jerusalem suicide bus bombing yesterday.

Soldiers, friends and government ministers huddled in the cold and wet at Mount Herzl cemetery to witness the burial of Yonatan Barnea.

His father, Nahum Barnea, an Israeli journalist, had rushed to the scene of the explosion to cover the event, without first knowing that his son, a 22-year-old soldier, had died in the blast.

A writer who had covered suicide bombings in the past, Mr Barnea wrote of the last bus explosion in Jerusalem in August last year: "This slice of reality is a singed mass, inhuman, unbelievable. Parts of clothing, blood, human organs spread out dozens of metres. Bodies covered by blankets. People searching for their loved ones."

"A nation steeped in pain — God will avenge the blood that has been spilled," said one Hebrew message.

In an article published by his newspaper, *Yediot Aharonot*, yester-

day, it was reported that on Sunday Nahum Barnea set out to cover another terrible tragedy — he departed not knowing that his loved one, Yonatan was already lying under one of those blankets."

On his way back to his offices in Tel Aviv, Mr Barnea recounted how he had premonitions that his son was on the bus, only to be informed that police

Shimon Peres, the Israeli Prime Minister, and his efforts to make peace with the Palestinians. "Peres goes home quickly," read one. "I don't want to be next in line," read another. Somebody went as far as to write "Death to Peres," but the words were quickly crossed out.

Danny Benita, an 18-year-old high school student, summed up the feelings said she had recently collected her wedding gown.

Just hours before the funeral, her mother, Ruth Ayash, 43, wailed: "Instead of getting ready for your wedding, we are getting ready for your funeral. Why? What did she do? What was her sin?"

Miss Ayash had left home on Sunday shortly before dawn on her way to her defence force base. She was about to be discharged and was only going back to return some equipment and say goodbye to her friends.

She was given a lift to Ashkelon and was standing next to the suicide bomber at the bus stop when he triggered the blast. She died instantly.

Her mother added: "Two weeks ago, my husband Michael lost his mother; a year ago his father. Now, he is burying a daughter."

The Ayash family has experienced previous tragedies. They used to live in Afula, in the north of the country, where Hoffi had been a good friend of Leah Gabbai. She was killed by an axe-wielding Palestinian about a year ago.

had identified Yonatan's body at the scene.

Away from the funerals, at the actual site of the bus bombing in Jerusalem yesterday, dozens of Israelis gathered and arranged memorial candles on the footpath to spell *maspiq*, the Hebrew word for enough.

On a blank white banner, some stopped to scrawl messages attacking

ing of some of those present. "The peace process does not work."

The sorrow and anger was no less evident yesterday at Ashdod, on Israel's southern coast. There mourners gathered for the burial of Hoffi Ayash, 20, who was killed in the second deadly blast at a bus stop in the nearby city of Ashkelon. She was to be married in four months' time. Rela-

Saddam looks to Stalin for his lessons in terror

BY MICHAEL BINION, DIPLOMATIC EDITOR

FROM the moment he seized power, President Saddam Hussein has consciously modelled himself on Stalin. In summarily executing his two sons-in-law on his return from Jordan, he has copied Stalin's techniques of duplicity and cruelty on such a scale that not even members of his family could believe.

Diplomats say that nobody in Iraq is safe. Western governments use the latest evidence of his brutality and mendacity to undermine their refusal to have any dealings with the dictator or relax the sanctions. Even fellow Arab governments have muted their calls for a more conciliatory line towards Baghdad.

Saddam has long used terror as an instrument of policy, to intimidate rivals, quash dissent and cow an entire nation. Like Stalin, he orders pre-emptive purges, especially of people who apparently are loyal servants of the regime, to create a climate of fear and paranoid. The killing of the innocent is a deliberate tactic and, by picking out for execution men who fail to applaud long or loud enough at rallies, he sets one Iraqi against another in their zeal to denounce "traitors".

Stalin is not the only model. Saddam is a modern Caligula: insecure, sadistic and steeped in blood. He killed his first man when he was 15. He has personally eliminated rivals, including those who pose no threat at present but who may do so in the future. He does not hesitate to kill his own family if he believes they threaten his dominance.

In 1989, in the wake of the Iran-Iraq war, he had his wife's brother, Adnan Khairullah, assassinated in a helicopter "accident". His brother

in law, was obliged to carry out the killing under threat of wholesale execution of the entire family if they refuse. Indeed, that was probably why the relations of the two defectors opened fire when they returned home.

Few Arabs are surprised at their shooting, only at the speed of it. The scale of their betrayal had humiliated him. Iraqis in exile are now asking whether Saddam's daughters can escape punishment.

More bloody, Dr Latif Rashid, vice-president of the Iraqi National Congress, an opposition group, predicts that Saddam will kill his grandchildren lest they grow up to avenge their fathers' deaths.

Army guilty of Tamil murders

FROM VIJITHA YAPA
IN COLOMBO

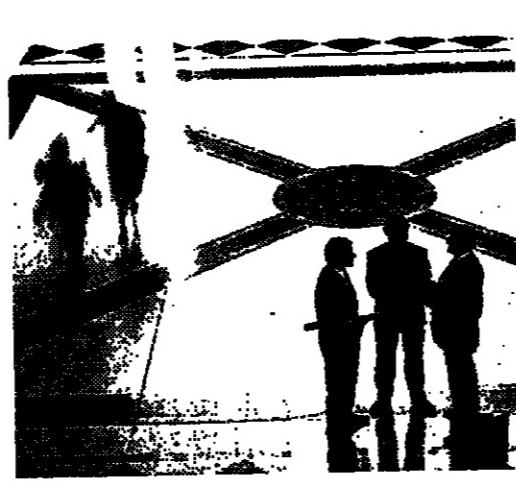
A MILITARY court in Sri Lanka investigating the killing of 24 Tamil villagers in the island's Eastern province earlier this month said yesterday that 14 soldiers were guilty.

The massacre happened in the village of Kumarakuram in the Killevedi district near the port city of Trincomalee. Thirteen children and a pregnant woman were among those killed; 25 people were seriously injured.

The deaths occurred soon after two soldiers were killed when secessionist Tamil Tiger guerrillas attacked an army post near the village. The massacre is the first reported since President Bandaranaike Kumaratunga's People's Alliance Government, which has the support of all the Tamil parties in parliament, came to power 18 months ago.

The incident was first denied by the army and has been a source of embarrassment to the Government. The army has gone out of its way to look after civilians in the Northern and Eastern provinces in an effort to minimise the influence of the Tamil Tigers. The soldiers involved are privates and lance corporals.

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Barrage disrupts Sierra Leone polling

BY SAM KILEY, AFRICA CORRESPONDENT

A SALVO of rocket-propelled grenades wrecked multiparty elections in Sierra Leone's second town of Bo yesterday, forcing all but two of the 55 polling stations to close, residents said.

Elsewhere, missing lists of candidates added an element of farce to the polls — the country's first multiparty elections in three decades — which are already a hostage of civil war, cannibalism, and an army propped up by South African mercenaries.

Long queues formed at polling stations while voters waited for the arrival of the lists. The Electoral Commission promised that the 1.6 million registered voters would get their chance to cast their ballots in an extended day of voting.

But more remarkable, as no true has been reached in a five-year civil war with the murky Revolutionary United Front.

which practices cannibalism to instil fear in its enemies and courage in its fighters, is that American and British diplomats pressured the military Government of Brigadier-General Julius Maada Bio into holding the elections at all.

"The restoration of civilian democratic rule offers the best chance of peace, security and stability in Sierra Leone... We feared that a delay in holding the elections would mean they could be postponed indefinitely and donor support would evaporate," a Foreign Office spokesman said.

More than 30 per cent of the population in the former British colony has been displaced by the civil war. Travel by road outside the capital is like playing Russian roulette as convoys are attacked by the Revolutionary United Front, their own military escorts, or bandits.

Last week 20 villagers were beheaded by unknown gunmen in a village close to Freetown, and over the weekend fighting, again between unknown militias, broke out in Bo. Since 1991 at least 10,000 people have died in the civil war which has crippled Sierra Leone's economy.

Brigadier Bio came to power six weeks ago, forcing out Captain Valentine Strasser who toppled his predecessor Joseph Momoh in 1992 during an army pay dispute.

■ Mabio: Todor Obiang Nguema, Equatorial Guinea's ex-military ruler, took almost all the votes in the two main towns in the country's first multiparty presidential poll, according to partial results from an election boycotted by all three main opposition parties. Turnout in the capital Mabio was said to be 76 per cent. (AFP)

Cuba claims it is holding pilot from Miami exile group

BY IAN BRODIE IN WASHINGTON, JAMES BONE IN NEW YORK AND DAVID ADAMS

CUBA said yesterday it was holding a pilot from the Miami-based exile group whose two civilian planes were shot down over the weekend by Cuban MiG fighters.

As the war of words intensified, President Clinton met his National Security and Foreign Policy Advisers to consider his options for taking tough action against Cuba in response to the attack. Officials said he was leaning towards a political response rather than a military reaction, despite demands by Florida's Cuban-exile community for a US naval blockade of Cuba.

In Washington, the idea was considered unrealistic for several reasons. There would be insufficient support, if any, at the United Nations. To make a blockade 100 per cent effective, US warships would face the unhappy prospect of intercepting merchant ships flying the flags of America's allies who trade with Cuba, including Britain.

A blockade would be enormously costly and arguably out of proportion to the loss of the two aircraft flown from Florida by Cubans intent on tweaking President Castro's beard and who reportedly intruded into Cuban airspace.



despite earlier warnings that they could be shot down. The episode is unlikely to recur and presents no threat to US national security.

Still, Cuban-Americans are a powerful political bloc and Mr Clinton will need their support as he seeks re-election next autumn. Republicans are already attacking his Cuba policy as they prepare for the Florida primary two weeks from today.

To try to soften the impact of Mr Clinton's critics, leaders of the Cuban-American community were invited to the White House yesterday to discuss the shooting down with administration officials.

Options that remain open to Mr Clinton include the ending of money transfers to relatives in Cuba, as well as long-distance phone calls and shot down were attacked over

lights for families between Miami and Havana. But, as *USA Today* pointed out, those sanctions are more likely to hurt the ordinary people of Cuba rather than to strike at President Castro and his hierarchy.

Officials said another idea to emerge during Mr Clinton's meeting with his advisers was support for legislation already in Congress that would strengthen the trade embargo against Cuba.

Until now, Mr Clinton has disliked the proposal because it would penalise other countries doing business with Cuba, but his attitude was said to have hardened because the shooting down of the Cessnas was such a blatant violation of international law.

Meanwhile, demonstrators besieged Cuba's UN mission in New York and a Cuban diplomat was beaten up outside. US officials asked Security Council members to launch an official inquiry into Cuba's action against the planes, which belonged to a Cuban exile group.

The CIA said that a third plane belonging to the exile group did enter Cuban airspace before returning to Washington and Havana had seemed to be improving.

As an unapologetic Cuban Government trades insults

with outraged exiles in Miami, and Washington threatens new economic measures to punish Señor Castro, analysts are watching the closing of another brief window of opportunity for a peaceful transition towards normalisation of relations between the two countries.

Provocation on both sides dates back as far as 1998 when America intervened on the side of Cuban rebels in the island's war of independence against Spain. Cuban history books record how the rebels were betrayed by Washington, as the United States put its support behind a series of corrupt and pliable governments. By the 1950s the American mafia had set up gambling houses in Havana.

That all ended in 1959, when Señor Castro came down from the Sierra Maestra mountains and ousted the American-backed dictator, Fulgencio Batista. Thousands fled, but not just the wealthy friends and associates of Batista. Many

middle-class families who had supported the revolution were soon also packing their bags fearing the introduction of Communism.

But the emigration from Cuba did not stop in the 1960s. Cubans continued to leave the island, either to join relatives in America, or escape Communism. Anti-Communist fervour in the United States has proved to be more than enough to keep Cuba on the agenda of any American President.

NEWS IN BRIEF

Tokyo will compensate HIV victims

TOKYO: Japan's Ministry of Health and an American drug company yesterday agreed to settle the claims of several hundred haemophiliacs, infected with HIV through blood products, after public outrage and revelations of official deceit and incompetence (Peregrine Hodson writes).

In October Tokyo and Osaka courts said that five drug companies and the Japanese Government pay 45 million yen (£150,000) to each haemophiliac, but Baxter Ltd was reluctant.

Earlier this month several hundred HIV-infected haemophiliacs demonstrated outside the ministry. For the past five years, they have waged a battle against what they saw as bureaucratic indifference.

Aid expulsions

KINSHASA: Zaire, which wants one million Rwandan refugees to return home, has expelled two Americans for teaching them passive resistance. They were working for the charity, Caritas. (Reuters)

Bribes denial

SEOUL: Chun Doo-hwan, former President of South Korea, denied at his corruption trial that millions of dollars he received from businessmen were bribes. "They were political donations," he said. (AP)

Keating loses out

SYDNEY: Bored voters gave John Howard, the Opposition leader, victory over Prime Minister Paul Keating in the second of two nationally televised debates, according to opinion polls.

Cold shoulder

HONG KONG: The Government, attacked by the media and politicians for failing to care for the elderly during a cold snap, denied exposure had killed more than 40 people in ten days. (Reuters)

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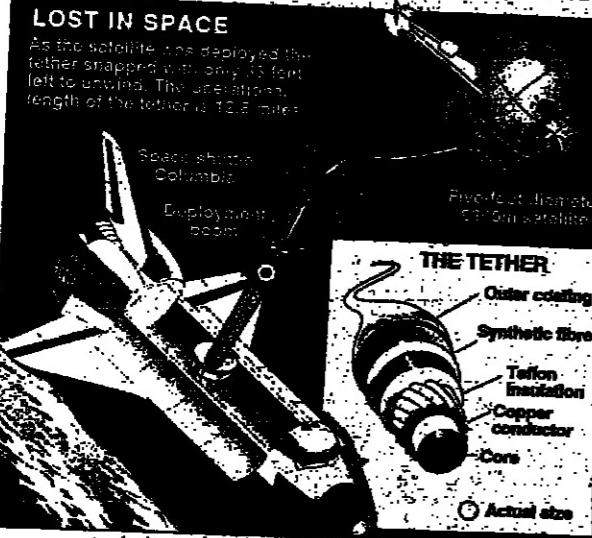
PEKING: A boy aged seven is in hospital with dislocated vertebrae after too much kowtowing for money over the Lunar New Year. He performed 114 of the apology gestures, earning about £250. (AP)



Cuban Americans protest at Miami airport over the shooting down by Cuban fighter jets of two Cessna aircraft, belonging to a humanitarian exile group. Cuba claims the light planes strayed into Cuban airspace

Columbia loses its satellite-on-a-string as tether snaps

BY ANJANA SHARMA



ONE of the most perilous space experiments ever conducted ended abruptly when a tether connecting a \$442 million (£287 million) satellite to the space shuttle *Columbia* snapped. The seven-man crew were unharmed, but the tether and satellite, last seen receding from *Columbia* at 100mph, have been given up for lost.

The 12.8-mile cord, which is 0.1in thick, broke in the early hours of yesterday with barely 33 feet left to unwind. Astronauts detected that something was wrong immediately, but in the confusion they bumped into a camera recording the experiment and lost view of the satellite as it broke away. Video footage beamed down later to Mission Control at the Johnson Space Centre in Houston,

Texas, showed the end of the tether — made from copper, nylon and Teflon — looking charred and melted. It was said to resemble "curly french fries".

Although space engineers are refusing to speculate on the cause of the mishap, Andrew Allen, the crew commander, suggested that it may have been caused by a large electrical discharge along the tether. That would be consistent with the charring and with the fact that the tether was supposed to have formed part of a huge electrical circuit.

Had the experiment gone to plan, the tether, with the satellite dangling on the end, would have unfurled to its full length. As the tether swept through the Earth's magnetic field, the satellite would have acted as a honey pot to the electrons in the upper reaches of the ionosphere. The elec-

trons would have travelled down the tether — thus making an electric current — into the shuttle cargo bay. On arrival, they were to be fired by electron guns back into the ionosphere, where they came from. The electrical circuit therefore would be complete. The system was designed to create a 5,000-volt, one-amp circuit. However, when the tether broke it was generating only 3,000 volts.

It was Nasa's second attempt at deploying Italy's Tethered Satellite System (TSS). In August 1992, the tether snagged twice on a bolt that had been added to the unwinding mechanism as an afterthought. The tether had been unfurled only 275 yards and the crew had to reel it back in by hand.

Primitive experiments involving tethers had also been tried on three occasions before men walked on the moon, according to the magazine *Flight International*. One, carried out in November 1966 on the Gemini 12 mission, was led by James Lovell, leader of the near-disastrous Apollo 13 flight, and Buzz Aldrin. All three experiments were failures.

After the 1992 failure, Nasa and the Italian Space Agency spent \$60 million on planning yesterday's re-run, this time including extensive emergency procedures. *Columbia*'s astronauts, four of whom took part in the 1992 attempt, had the ability to cut the tether by remote control or to jettison the entire system from the cargo bay.

They were also trained to perform emergency spacewalks. With this part of their schedule at a premature end, the astronauts will spend the rest of their fortnight in space conducting microgravity experiments.

Conservative Buchanan is unlikely Che Guevara

FROM MARTIN FLETCHER IN MCLEAN, VIRGINIA

IN THE affluent Washington suburb of McLean, 1017 Sable Lane is a beautiful white colonial-style home overlooking the CIA's wooded grounds. The house next door is for sale for \$3.1 million (£2 million) and the near neighbours include Colin Powell, Edward Kennedy and Prince Bandar, the Saudi Ambassador.

No 1017 is the home of Pat Buchanan, leader of a "peasants' revolt" against what he calls the out-of-touch capital where he has lived for all but five of his 57 years and against the "knights and barons" of a Washington elite of which he has been a prominent member for three decades.

Mr Buchanan mocks his rival Robert Dole, the Senate majority leader, as "Beltway Bob", the beltway being the living road around Washington, but he himself grew up and was educated in the city before working in the Nixon, Ford and Reagan White Houses. Then he joined Washington's real power brokers as a columnist and broadcaster for nearly \$1 million a year.

He denounces corporate giants such as AT&T and General Motors for wholesale layoffs or for moving jobs abroad, but he has big shareholdings in both. He champions "Main Street" against Wall Street, but has a multimillion-dollar portfolio that includes investments in Britain's NatWest Bank and a Hong Kong company with holdings in communist China.

This lot of immigrants and

Goldwater backs Dole

PHOENIX: The man he once considered his political guru disowned Pat Buchanan yesterday as an illegitimate conservative and endorsed Robert Dole, the Kansas senator, as the liberal heir to a Republican White House. (Tom Rhodes writes.)

Barry Goldwater, 57, the Arizona senator who spawned a radical conservatism in America that finally nominated him for President in 1964, accused Mr Buchanan of preaching a doctrine of fear and division in Republican ranks. He defined Mr Dole as "the legitimate heir to the Barry Goldwater-Ronald Reagan legacy of conservatism".

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Murdoch offers free TV time

BY MARTIN FLETCHER AND IAN BRODIE

AMERICAN presidential candidates are each to be offered an hour of free prime time television in which to make "final presentations" to the public.

The offer was made yesterday by Rupert Murdoch, chairman and chief executive of The News Corporation, parent company of *The Times*. Praising the British electoral system, he announced the free broadcast time on the Fox Television network as one means of removing the "cancer" of big money from American politics.

Mr Murdoch also said that Fox would ask the candidates to prepare one-minute videos explaining their position on the ten issues of most importance to the American people, to be screened during special breaks on Fox in the month before the November poll.

Finally, he offered additional hours or half-hours of free television time for the candidates to explain their positions, provided American networks transmitted the same political programmes simultaneously. Mr Murdoch said all these ideas were based on the experience of Britain.

Mr Murdoch called his proposals "a modest attempt to begin a course of reform which may or may not gather momentum". He hoped the other networks would follow his lead. "Frankly, I don't expect they will," he told a lunch at the National Press Club in Washington.

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Dole sacks aides in bid to revive campaign

BY IAN BRODIE

AFTER weeks of in-fighting, Robert Dole has dismissed his pollster and top strategist in a frantic effort to revive his quest for the Republican presidential nomination.

The shake-up comes after two disastrous weeks that have left Mr Dole's formerly front-running campaign struggling for survival. His razor-thin victory in Iowa two weeks ago was followed by losses in New Hampshire and Delaware, and the odds are on his losing to Pat

Buchanan again today in Arizona. The pollster, William McInturff, and his firm, Public Opinion Strategies, will no longer be given any Dole campaign business. William Lucy, a long-time Dole adviser, was ousted as chief strategist with control over polling, advertising and other campaign media.

Mr Lucy, whose title was deputy campaign chairman, was told he could stay on in a reduced role, but decided to leave. Two new pollsters were hired and Don Sipple, a veteran Republican consultant joined as chief strategist to



DIRECT LINE

SAVINGS

Living in the shadow of asthma

Edwina's fight for breath

DESPITE her fast-talking reputation, Edwina Currie MP knows what it is to have trouble drawing breath. She has suffered from asthma since childhood — although it now needs no more treatment than an occasional puff from her Ventolin inhaler.

Asthma dominates the lifestyle of one in four of those who suffer from it. Mrs Currie's own school-days were affected by her asthma but she turned it to her advantage; while others were involved in the kind of vigorous exercise that made her condition worse, she used the time to read avidly — a practice that stood her in good stead at Oxford and in politics.

The National Asthma Campaign today releases the results of a widespread survey of Britain's asthma sufferers. Its report, *Impact of Asthma*, reveals the many different ways in which asthma can affect a patient's life. Despite improvements in treatment, half the patients with asthma still display some symptoms every day, and one in ten is disturbed every night.

Fortunately many asthmatic children grow out of it entirely — or it becomes very much less severe — as they reach adulthood. One third of children, for instance, have their sleep ruined at least once a week by coughing, breathlessness or wheezing. And whereas 80 per cent of young sufferers find that vigorous exercise induces wheezing, only 50 per cent of adults are affected.

A surprisingly small number of patients, only 6 per cent, are completely unaffected by exercise. Her lingering asthma does not, for instance, deter Edwina Currie from attending her gym twice a week. Research some years ago showed that routine daily exercise, as when an athlete was training, was more



DR THOMAS STUTTAFORD

PROBABLY the greatest advance in asthmatic treatment recently has been the realisation that the prophylactic use of inhaled steroids, such as Beclotide, Pulmicort and Fluticasone, do not cause serious side-effects. These preparations reduce the inflammation which is blocking the bronchial tubes. Ventolin, and similar bronchodilator drugs, are central first-aid measures and the majority of asthmatic patients should carry them everywhere, but they should not be relied upon for routine daily control.

The other valuable lesson learnt over the last few years is that steroids taken by mouth, or even injection, when breathing is very laboured can be a life-saving measure, and withholding them in the past must have cost many lives.

As farmers prepare to spray their crops, thousands of people prepare for misery, says Jack Crossley

MARGARET REICHLIN is not looking forward to spring. She expects to spend quite a lot of it a prisoner in her own home. Unable to tend the garden at her centuries-old thatched cottage, banned from shopping trips and country walks around the richly arable Hampshire farmlands which surround her, Miss Reichlin, a retired arts teacher, is one of thousands of victims disabled by the modern use of chemicals and pesticides.

Her system became sensitised eight years ago when workmen botched the treatment of timber in her home in Upper Enham, near Andover. Now — and probably for the rest of her life — she is likely to suffer distressing reactions if exposed not only to toxic ingredients used in industry and agriculture, but to everyday things such as household disinfectants, traffic fumes and food additives.

"Fly sprays and creosote are murder," she says.

Symptoms can include blotchy skin, sore throat, nose and eyes, swollen tongue, mouth blisters, stomach ache, exhaustion, and loss of memory and co-ordination.

Spray drift is the invisible danger which threatens Miss Reichlin and thousands like her as farmers begin their springtime spraying operations. In the last three years she has identified 13 different chemicals being used to kill weeds and protect crops or farms bordering her home.

Many farmers have no idea what the chemicals are in the sprays they use, nor what damage they can do. Miss Reichlin had early battles with neighbouring farmer John North before training him to give warnings when he was going to spray.

"Now Mr North is as good as gold. He phones me in advance and I run for cover. Batten down the hatches.

When the farm sprays are out chemically sensitised victims become hermits."

Miss Reichlin is campaigning for spray colour-coded so that victims can recognise which fields have been sprayed. She also wants to stop the bodies which license the use of the offending chemicals also being the ones which police them.

She says: "The torrent of chemicals now poured on to good land is unstoppable and will continue to be so as long as the licensing bodies are also the policing bodies.

"Most of the problems caused by spraying would be remedied by the addition of

harmless, short-term dyes. The public would know where the sprayers had been. Dead wildlife would be identifiable."

Alan Care of Leigh, Day & Co, a pioneering lawyer and a director of the Pesticides Trust, has dealt with 300 chemical and pesticide cases, settling most of them out of court.

Although it is now accepted that many people are sensitive to certain chemicals, there are still steep legal hills to climb before being able to prove in court that a client's suffering is caused by negligence. Many lawyers are reluctant to take on complex litigation involving chemicals and toxicology. The long names are enough to put some off: try getting your tongue round a fungicide called Methyl 1-(butylcarbamoyl) benzimidazol-2-ylcarbamate.

In some cases the chilling "acceptable risk statistic" argument is used, and Mr Care is fighting this as totally unacceptable.

The Pesticide Exposure Group of Sufferers (Pegs) knows of thousands of sufferers and believes there are thousands more going unreported.

"Legal cases involving exposure to pesticides are increasing with areas of concern including the liability of manufacturers, the inadequacy of government regulation, and the lack of sufficient warnings to users."

"Pesticides are regulated by

licenced as 'safe' for public use. No long-term chronic illness studies are carried out as a matter of course by the six government departments empowered to grant licences."

"They react to complaints from the public — but one of the troubles here is that many GPs have little understanding of toxicology, and pesticide poisonings remain under-reported."

"By licensing a pesticide as safe the Government removes the consumer's right of choice. We have health warnings, advising against smoking and doctors advising on the side-effect of drugs. This enables consumers to make informed decisions. But they cannot choose to avoid pesticides and pollutants which continue to be used despite concerns about damage to humans, animals and the environment."

"Industry makes profits from chemicals and society derives benefit from their use, but the time has come to face the consequences."

"I believe that there are victims who should be compensated without proof of fault. A scheme could be

financed by the makers and users of hazardous chemicals with a contribution from government. Perhaps the insurance houses would also contribute. The scheme would avoid the trauma of prolonged and expensive litigation."

In the meantime, as long as there are those who adopt shoddy practices and put health at risk, personal injury lawyers will be in full-time work and get richer. Too often employers give health and safety a low priority, leaving insurers to pick up the tab — and the victim to pay with ruined health."

The growing concern over pesticides is to be the focus of a three-day international seminar at Warwick University, the end of July, organised by the Green Network.

In the meantime campaigners like Margaret Reichlin are determined to give the plight of sufferers a much higher profile, and to increase public awareness of the dangers.

• Pegs, 4 Lloyd's House, Regent Terrace, Cambridge CB2 1AA (01223 364707)



Margaret Reichlin became sensitised to chemical sprays when workmen treated timber at her home: "Fly sprays and creosote are murder".

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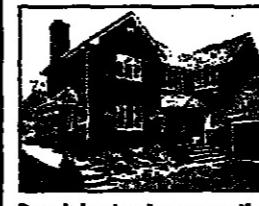
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Have you ever thought what the nurses and doctors in the operating theatre might be saying about you as you lie exposed and vulnerable on the table?

A medical student recently described to me the rugby club banter about breast size and quality he heard as an all-male surgical team engage in as they operated on a woman patient. And one hospital in the UK until recently broadcast the laboratory biopsy results about malignancy over a PA system into the operating theatre while the operation was still underway.

Still, this does not really matter, because after all you are unconscious, aren't you? Yes, you are — but your brain may still take in some of what you hear. An article in this month's edition of *Anaesthesia and Analgesia* reports that anaesthetised patients can learn information which they have no conscious memory of hearing. Half the patients in the study heard the story of Robinson Crusoe while they were unconscious, while the other half heard Peter Pan. Testing after they regained consciousness showed that the Peter Pan group had associations to the word "hook" which the Robinson Crusoe group did not. Neither group remembered hearing any story. In other words, these patients were taking in what they heard even though they were not conscious.

If this is true, then the incautious banter of doctors and nurses, not to mention the announcement of bad news in the theatre, may have bad effects on some patients. While modern hospital anaesthesia is so sophisticated that there is relatively little chance of anyone explicitly remembering anything that happened during surgery, it may not stop patients being affected by what they hear in theatre even though they are not consciously aware of it.

The *Medical Journal of Australia* reports that a shy and sensitive student who thought she had beaten her weight problem "heard" under anaesthetic the comment: "She is fat, isn't she?" from one of the operating team. The report suggests that such "unconscious learning" can result in emotional problems after surgery: the student apparently needed psychotherapy to overcome the subsequent depression she experienced.

Professor F.R. Ellis, senior vice-president of the Royal College of Anaesthetists, says unconscious learning

Studies suggest that patients under anaesthetic can still absorb what they hear



One patient heard: "Fat, isn't she?"

during anaesthesia is not widely discussed by anaesthetists, although "it certainly warrants further research and dissemination if it is true". Yet in 1986 *The Lancet* ran a leading article advising that "...there is now sufficient evidence to warrant the adoption of active measures to prevent every anaesthetised patient from hearing conversation in the operating theatre. It is unlikely that unconscious auditory perception can be prevented by pharmacological means." Clearly this advice has not been taken up in this country.

Dr John Hughes, consultant anaesthetist at the Morriston Hospital in Swansea, who is currently researching this area, agrees with Professor Ellis. "There is not a great awareness of this problem, and it would cost very little to plug patients' ears during surgery — or even better, to play positive messages through a tape. But the evidence is not conclusive yet, and that may explain why anaesthetists are not following up the advice of the *Lancet* editorial," he says.

Dr Hughes's suggestion that unconscious learning can be therapeutic is based on a recent study that he and his colleagues carried out in Wales and published in the journal *Anaesthesia*. They found that women who heard a tape recording under anaesthesia telling them that they wanted to stop smoking, and that smoking would give them no pleasure, were significantly more likely to have given it up a month later than a group who did not hear this message.

But how does the brain learn without awareness? One way may be that the anaesthetist does not switch off the circuits connecting the ear to the cerebral cortex in fact, electrical responses in the cortex to sounds can be found during anaesthesia, showing that at least the "raw data" of hearing is getting through to some level in the brain, even if not to the areas responsible for conscious awareness.

This unconscious perception can be recorded in a set of brain circuits known as the "implicit memory" system. This type of memory is quite separate from the conscious, or "explicit" memory, which is what we need to remember whom we met for lunch, what we read in the newspaper yesterday, etc. Implicit memory allows us to learn without awareness, and plays a part in shaping our responses to the world intellectually, behaviourally and emotionally. Implicit memory may also reside in brain circuits which are less sensitive to anaesthetics.

Dr Jackie Andrade of the department of psychology at the University of Sheffield, British expert on learning under anaesthesia, suggests another possible reason why some patients appear to take in what they hear during anaesthesia. "Many studies have shown that people learn during anaesthesia but it is not clear whether this is due to implicit learning or to mini-periods of wakefulness during anaesthesia," she says. "Whatever the reason, however, I think any residual learning capacity should be harnessed by giving reassurance and positive suggestions to the patient."

I know the evidence is not yet conclusive and the reasons for learning under anaesthesia are not understood properly. But can I please have some soothing Mozart rather than the sound of flesh being snipped, doctor?

IAN ROBERTSON

prison

ARTS 40-42

Treasures from an Italian collection go on show in London

LAW 35,37

Leading London lawyers head for Northern Ireland

SPORT 43-48

Leading question puts Atherton on the back foot

TELEVISION AND RADIO
Pages 46, 47

THE TIMES

BUSINESS EDITOR Lindsay Cook

TUESDAY FEBRUARY 27 1996

British Gas agrees to review over domestic prices

By CHRISTINE BUCKLEY

BRITISH GAS has bowed to pressure for a review of its tariffs for domestic customers after the industry regulator declared them anomalous, saying that some groups benefited from discounts while others were unable to do so.

But the company, which is under increasing pressure from rival suppliers offering a raft of tariffs and tailored packages to domestic customers in the experimental competition area of the South West of England, says it cannot take

immediate action because of technical and competitive reasons.

It has agreed to a review of its tariffs, which cater for four basic classifications of customer, when its systems permit. It says it cannot implement a more diverse range of tariffs until its 12 regional billing centres are fused into one in the summer. On competitive grounds, a spokesman for British Gas said the company was unable to publicise a wider selection of tariffs because it is only permitted to follow the market and not lead it down in the countdown to full domestic competi-

tion. Ofgas launched a probe into British Gas's tariffs after it introduced OptionPay last autumn — the system whereby prompt payers are rewarded with a £2 per quarter credit on their bills. The industry watchdog mounted the investigation to determine whether or not the new tariff showed any undue discrimination to consumer groups.

It concluded that British Gas's tariffs are not fully cost-reflective and that some customers get no discounts while their payment behaviour is very close to those groups qualifying for paybacks. For exam-

ple, a person with no debt who had not chosen to pay by direct debit or did not pay within 10 days received no bonus and was treated in the same fashion as one with debt. Ofgas said that customers paying by pre-payment meter were not eligible for discounting and that direct debit customers with low usage did not receive as equitable a deal as those with high usage.

Ian Powe, director of the Gas Consumers Council, said that rival suppliers in the southwest experiment were gaining market share on the back of British Gas's limited

domestic tariffs. "Until British Gas is able to operate a more sophisticated system, competitors will continue to produce better tariffs. The company has still to launch its marketing strategy for the South West which is due to be opened to full competition at the start of April."

Yesterday, competition, which some industry observers believe will be delayed until April 29, moved a step closer with the signing of the network code agreement between TransCo, British Gas's pipeline operation, and gas shippers. The code, which comes into effect on

Friday, outlines the rights and obligations of TransCo and shipper to supply gas to industry, commerce and domestic customers on a competitive basis.

Harry Moulsou, TransCo's managing director, said: "The industry now has an agreed structure which will enable it to meet the needs of every gas user. It sets firm foundations for the building of the fully competitive regime."

At the same time, British Fuels, a leading player in gas distribution, has confirmed that it will join the southwest experiment.

Abbey on the prowl in life sector

By PATRICIA TEHAN, BANKING CORRESPONDENT

ABBEY NATIONAL is actively searching for an acquisition in the life insurance sector in an attempt to increase substantially its share of the growing market.

Lord Tugendhat, chairman, said that the mergers and acquisitions seen over the past year were "evidence of the increasing importance of the markets place or scale of operations and market share". He said that Abbey could achieve its objectives through organic growth, but opportunities might arise that would enable it to achieve them more quickly or more efficiently by acquisition. Abbey bought

bidders.

Abbey's UK retail banking business pushed profits 6 per cent higher at £687 million. Consumer credit profits were £49 million; against £31 million. Life assurance operations reported £105 million profits, compared with £94 million. Treasury and offshore profits were £217 million, against £190 million. Losses from Continental Europe were reduced from £56 million to £22 million.

Tim Ingram, the chief executive of PNFC, the consumer credit business bought in July last year, has been put in charge of European operations, mainly mortgage lending. He said yesterday that his aim was to return to profitability — although he refused to give a target date — and to put on new business.

Bad debts in UK retail banking increased £5 million to £44 million, with lower mortgage arrears but an increase in bad debts from unsecured loans, taking the total bad debt provision to £72 million, down from £74 million.

Mr Birch is scheduled to retire next year. Lord Tugendhat said that Abbey National hoped to appoint a successor "from within our own ranks".

Mr Ingram, Ian Harley, finance director, Gareth Jones, treasurer, and Andrew Pople, head of life insurance, are seen as likely candidates.

Mr Birch said that there would be no compulsory redundancies, although he expected the headcount to reduce because of natural turnover.

Mr Birch said that the cost savings would come from the lower branch network running costs, the use of one computer system throughout branches, and rationalisation of head office functions, such as the legal department and the internal audit department.

Lord Tugendhat said: "The pursuit of our objectives may include the acquisition of other businesses, the life sector is of particular interest to us." However, he added that Abbey would not pursue any acquisition that would involve a high degree of risk for the business.

Abbey is one of the firms believed to have shown an interest in Clerical Medical, but NatWest is thought to be at the top of its list of preferred



Hurdler leaps into top spot

Champion hurdler James Hector, above, who with his brother, Nigel, runs the English Basket and Hurdle Centre at Taunton, Somerset, was celebrating yesterday after the company won the Country Living/Calor Gas Small Rural Business Awards 1996, receiving a £6,000 prize.

The centre was established in the 1930s to supply basket-makers with willow. Over the past decade it has diversified, growing and using willow to make garden products such as

summer houses and furniture. An expanding part of the family business is the use of willow to control the erosion of river banks.

The company will invest the prize

money in a new willow-cutting machine. Runner-up in the competition was the Countryworks Gallery in Montgomery, Powys. Run by Clare and Richard Halstead, the gallery receives a cheque for £3,000. Three third prize winners each received a cheque for £1,000.

Lyell is trustee of defrauded charity

By ROBERT MILLER

SIR NICHOLAS LYELL, the Attorney-General, is one of two local Conservative MPs listed as a trustee of a Bedford charity that has lost nearly £60,000 to a fraudster.

The Charity Commissioners, who are responsible for supervising the UK's 150,000 main charities, are now in discussions with the trustees, who also include Sir Trevor Skeet, a fellow Bedfordshire MP of Sir Nicholas, on ways in which the money can be recovered.

A spokesman for the commissioners said yesterday: "Trustees of a charity have a personal responsibility for funds under their control." In a worse-case scenario trustees can be asked to make up any shortfall in funds from their own resources, although extreme "culpability" would have to be proved.

The two Conservative MPs are among the 20 trustees of the Sydney Howard Latov Memorial Alms Houses, which provides 30 dwellings in and around the Bedford area.

Last year, Eric Walker, a

chartered accountant, was convicted on six charges of theft and five of false accounting and was sent to prison for 18 months. With remission taken into account he was released in under a year.

John Wells, chairman of the charity's trustees and a member of the Charles Wells brewery family, which has supported the almshouses, said last night that Sir Nicholas was an ex-officio trustee, who had never received any papers relating to the charity nor attended any of its meetings. Sir Trevor had attended "one or two" meetings.

Mr Wells confirmed that recent discussions had been held with the Charity Commissioners. He added: "The bail is now in the commissioners' court as to what to do next."

John Harrison, a charity tax specialist, said: "When VIPs or public figures are appointed as charity trustees they must be full trustees. A disclaimer of being ex officio has no validity.

If such individuals cannot devote enough time to acting as trustees they should instead be patrons or vice-patrons."

Shares hit by political uncertainty

By MICHAEL CLARK
STOCK MARKET CORRESPONDENT

POLITICAL worries sent investors scurrying for cover on the London stock market as Government securities and share prices suffered sharp falls.

At one stage, the equity market dipped through the 3,700 level after another volatile start to trading on Wall Street, where the Dow Jones industrial average fell almost 60 points in the first hour of business. The FTSE 100 index eventually closed 36.1 down at 3,704.2.

Investors were in no mood to open fresh positions. They wanted to see the outcome of last night's House of Commons vote on the Scott report. As a result, selling pressure was deemed as minimal, with just 639 million shares changing hands.

Dealers also reported losses in the gilt market, reflecting similar falls in US Treasury bonds. Brokers fear further falls before tomorrow's £3 billion auction.

Unit trust sales close to record

By ROBERT MILLER

UNIT trusts started the new year in bullish form with net retail sales in January of £477 million, up from £314 million in December, and a 50,000 increase in the number of accounts to 6.7 million.

Total net sales, at £1.4 billion, were the second highest on record and double December's £647.4 million.

Funds under management in the 1,657 authorised unit trusts rose to £117 billion last month compared with £112.9 billion in December and £97.5 billion a year ago, according to the latest figures from the Association of Unit Trusts and Investment Funds (Autif).

Sales of unit trusts linked to tax breaks available under personal equity plans (Peps) helped to boost the overall sales figures. Net investment in traditional Peps was £301 million against £241 million the month before while monthly net sales of new-style Corporate bond Peps more than doubled to £126 million.

Dealers reported unit trust sales sharply to £1.2 billion from £846 million in December. Autif said research showed that much of the money

cashed in was reinvested in other unit trusts almost immediately.

Philip Warland, director-general of Autif, said: "January's unit trust sales merely confirm the evidence of recent months, which is that people do now understand that part of their savings must be in equities or funds."

The most popular unit trust sectors in January were Far Eastern funds, with inflows from both professional and private investors totalling £378 million. Of this, private investors put £68 million into Japan and £63 million into Far East trusts which exclude the Japanese market. At home, the UK smaller companies sector attracted £583 million but this included one large transaction from an Autif member.

Autif has made key changes to its performance categories by which investors can monitor the health of their investments. UK general trusts now come under UK growth and income, while international balanced funds, which invest in a mixture of international equities and bonds, is renamed international equity and bond.

Mr Green will now be paid in full for the secured debt out of the estimated £7.5 million he has paid for the group. After payment to preferential creditors, about £3 million is available for the unsecured creditors who are owed £14 million.

Mr Kahn said: "After intense negotiations we were able to secure an excellent price and are delighted to have saved so many jobs."

BUSINESS TODAY

STOCK MARKET INDICES

FTSE 100	3704.2	(-36.1)
FTSE All Share	3,955	
New York	1,820.28	(-14.15)
Dow Jones	2,040.27	(+179.89)
S&P Composite	559.36	(-49.13)*
S&P 500	653.30	(-5.78)*

US RATE

Federal Funds	5.74%	(5%)
Long Bond	6.24%	(5.4%)
Yield	6.47%	(6.41%)

LONDON MONEY

3-month Interbank

6.75% (6.5%)

1-year gilts

10.6% (10.7%)

STERLING

New York

1.5405 (1.5431)

London

1.5405 (1.5411)

DM

2.2249 (2.2288)

FFR

7.5710 (7.5525)

Yen

16.0250 (16.0253)

E Index

53.1 (53.3)

\$Dollar

1.4475* (1.4474)

FFP

4.9780* (4.9665)

SGM

1.1774* (1.1761)

Yen

10.4250 (10.4255)

S Index

54.8 (55.1)

Tokyo close Yen 104.30

* denotes midday trading price

Green the victor in fight for Mark One

By SARAH BAGNALL

PHILIP GREEN, the colourful retailer, has emerged the victor in a close-fought battle for control of Mark One, the women's wear retailer that collapsed last month.

The deal between Mr Green, the former chairman of Amber Day, and the administrators was struck at midnight on Sunday.

Mr Green is thought to have paid about £7.5 million for the 95-strong chain of shops that employ more than 2,200 people and generate sales of £95 million. He beat off a rival £7 million offer from Sharmi Ahmed, founder of Joe Bloggs sportswear, a former creditor of Mark One.

Last Friday Philip Monjack of Leonard Curtis and Neville Kahn of Coopers & Lybrand, joint administrators, sought court approval for

UK growth and inflation prospects 'best in G7'

By JANET BUSH
ECONOMICS CORRESPONDENT

BRITAIN will enjoy the best combination of growth and low inflation of any of the Group of Seven industrialised countries this year, according to Oxford Economic Forecasting's latest survey of world economic prospects.

The group forecasts that the British economy will grow by 2.4 per cent, matched only by Italy. But, at the same time, underlying inflation will only be 2.5 per cent, compared with 4.9 per cent predicted for Italy. Germany, for example, is forecast to have inflation of 2.2 per cent but growth of only 1.4 per cent this year. The United

States is expected to match Britain on inflation with 2.5 per cent, but its growth is only likely to be 2 per cent.

Oxford forecasts an average growth rate of 2 per cent in the 25 industrialised countries represented by the Organisation for Economic Co-operation and Development, and an average inflation rate of 3.3 per cent.

Despite Oxford's relative optimism on Britain, it is actually more pessimistic now than in recent reports because of a pause in growth in Europe, which has led to a large build-up of unwanted stocks. Continued action to reverse this stock overhang would continue to depress output in the early part of this year.

In addition, it said that fiscal tightening undertaken by many countries to meet the Maastricht treaty convergence criteria, had not yet had its full impact. "Not surprisingly, against this background, consumer and business confidence is still deteriorating," the Oxford group said.

Oxford said that interest rates in both Europe and America should fall further, predicting 2.75 per cent rates in Germany by the spring and 4.75 per cent in the US by the summer. Most other countries would follow suit. Lower interest rates would bolster growth, it added.

The Oxford group said that the slowdown in European growth is frustrating efforts to

reduce fiscal deficits to qualify for monetary union on the current timetable. It forecasts that Germany will meet the criteria by 1997 but that France, among others, is unlikely to do so.

It said that adjustment is clearly occurring but that relying simply on tightening fiscal policy risks further destabilising the situation. Oxford calls for a co-ordinated strategy to cut interest rates across Europe, coupled with a promise to take advantage of the acceleration of growth to tighten fiscal policy later.

"In the absence of such a move, the most likely outcome is that EMU will be delayed until the early part of the next century," it concluded.

Rentokil formally launches BET bid

By ALASDAIR MURRAY

RENTOKIL, the business services group, yesterday formally initiated the bid period for BET, a rival services company, by publishing its offer document.

The document, which adopts a relatively moderate tone, stresses Rentokil's record over the past 14 years during which it has increased profits 20 per cent a year and the company's share price has outperformed the FTSE all-share index by 400 per cent.

Rentokil argues that, in contrast, BET has followed a confused strategy and underperformed the index by 45 per cent since the appointment of John Clark, as chief executive, in 1991. Rentokil concludes that BET shareholders would benefit from enhanced business performance and cost savings after a successful bid.

Clive Thompson, chief executive of Rentokil, said: "We are trying to concentrate on the future of the combined group and the benefits this will offer to both sets of shareholders."

BET rejected Rentokil's arguments as "backward looking and outdated". BET stressed its strong performance over the past 18 months, with profits for 1995 rising 20 per cent and for the first half of 1996 by 25 per cent. Mr Clark said: "Rentokil's offer is wholly inadequate given BET's strong performance and prospects. Our shareholders are benefiting from BET's significant growth."

The provisional closing date for acceptances for the £1.9 billion bid is March 18, while BET has until March 1 to launch its official defence. The late start comes after the confusion caused by a market leak two weeks ago that forced Rentokil to make public its intentions and the company's approach to buy just part of BET last week.

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Clive Thompson, chief executive of Rentokil, is trying to concentrate on the future of the combined group and shareholder benefits

Oil spill compensation claims expected to reach up to £20m

By MARIANNE CURPHEY

CLAIMS for compensation from Welsh fishermen for the damage caused by the *Sea Empress* oil spill are likely to rise to between £18 million and £20 million, loss assessors said yesterday.

The claims will cover loss of income to deep-sea fishermen, to those in the shellfish industry, including crab, lobster, cockle and whelk fishermen, and to the owners and employees of associated processing factories on the 100 miles of coast where oil is being washed ashore.

MPC and Company, the loss assessor, which is advis-

ing many of the claimants, has set up an office in Milford Haven and last night met 250 fishermen affected by the spill.

An MPC spokesman said

the value of the fishing industry at Milford Haven was about £27 million, and added that the company would meet representatives of the tourist board later this week to assess the damage to their trade.

MPC is also handling

claims from Shetland Islanders whose £80 million fishing

industry was devastated by an oil spill from the *Braer* tanker three years ago.

A spokesman for MPC said

yesterday that compensation for the Welsh fishing industry would depend on whether the Ministry of Agriculture, Fisheries and Food and the Welsh Office imposed a ban on fishing in the region.

At present, there is a voluntary exclusion zone around the waters worst affected. In the case of the *Braer*, deep-sea fisherman had to wait 14 months before the ban was lifted, and shell and salmon fisherman are prevented from fishing until 2002.

A MAFF decision is expect-

ed within the next 48 hours.

In addition to the cost of

compensating the fishing and tourist industries, insurers have to pay for the massive clean-up operation, currently estimated at £10 million.

Skuld, the Norwegian insurer of the *Braer* and the *Sea Empress*, will bear the first £3.25 million of costs; a further £6.5 million will be paid for by the marine Protection and Indemnity (P&I) clubs, a form of mutual insurer. If the compensation is greater than £9.74 million, it will be paid for by the International Oil Pollution Compensation Fund (IOPC) which levies a charge on leading oil companies.

Some further funding by the oil industry is available, if claims top £6.1 million.

Skuld said at the weekend that fishermen affected by the *Sea Empress* oil spill may have to wait years for compensation because of "inflated and spurious claims" submitted by victims of the *Braer* spillage just before the three-year time limit on claims expired.

However, MPC said it was "agreed" by Skuld's com-

munity. "Claims needed to be assessed on an ongoing basis because of the long-term damage to the fishing industry," the MPC spokesman said.

Bull Ring lease sold for £30m

By GEORGE SIVELL

THE leasehold on one of Britain's best known retail developments is to change hands. Hammerson, the property group, is to pay £30 million for the leasehold of the Bull Ring Shopping Centre and adjacent buildings in Birmingham.

Redevelopment of the Six-trees-built Bull Ring has been mooted for the past ten years, a prospect that has led to predominantly short-term leases.

The present leaseholder is Forsakingbolaget SPP, the Swedish insurance and pension group. The deal is subject to government consent for an extensive redevelopment. Birmingham City Council has agreed to give permission.

Ronald Spinney, Hammerson's chief executive, said: "Our

Jury told of Nadir's bank cash transfer

By JON ASHWORTH

ASIL NADIR advanced money from his personal bank accounts to settle outstanding corporate balances, the Central Criminal Court was told yesterday.

The claim was made by David Hilton, former deputy general manager of the London branch of Kansallis Osake Pankki, a Finnish bank, giving evidence at the trial of Elizabeth Forsyth, former financial adviser to the Nadir private family interests.

Mr Hilton told the court of an occasion on which a cheque drawn on Mr Nadir's personal account had been credited to a company with which the bank was not familiar.

The transaction came to light after the receipt of documentation from the UK tax authorities.

The court was told of a transaction on October 17, 1989, in which £400,000 drawn on a Poly Peck account in London was transferred to an account at SG Warburg Soditic, in Zurich.

The jury was also told of a deal in which £168,000 was used to buy a herd of Charolais cattle. Mrs Forsyth subsequently travelled to the Perth Show, "the Sotheby's of the cow world", and oversaw the purchase of a heifer and two bulls. The cattle were destined for the Baggrave Estate, in Leicestershire, owned by trust associated with the Nadir family, Geoffrey Robertson, QC, for the defence, suggested that funds for the farm occasionally followed "quite a circuitous route".

Mrs Forsyth, 59, denies two counts of handling nearly £400,000 in funds allegedly stolen by Mr Nadir from Poly Peck International.

The trial continues today.

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GEC to merge sonar business with Thomson

By ROSS TIEMAN, INDUSTRIAL CORRESPONDENT

GEC's Marconi defence electronics subsidiary is to merge its sonar submarine surveillance business with that of Thomson-CSF, its chief French rival.

Details of the joint venture, a key step in the accelerating consolidation of the European defence industry, will be announced "within weeks", a Thomson spokesman said.

The merger will create the world's largest sonar business. The intention is to reduce costs and increase volumes, enabling the business to compete more effectively with rivals in America, where defence industry rationalisation is already well advanced.

Under the deal, GEC-Marconi Sonar Systems, - later this year.

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Water indemnity of £10 'too low'

By CHRISTINE BUCKLEY

A HARD-HITTING demand for compensation for water customers whose use was disrupted last year has been sent to the water regulator by the Consumers' Association.

The association criticises draft plans for compensation by Ian Bayt, the director-general of water supply, and blames much of the interruptions in supply on "under-investment and disorganisation" rather than exceptional weather. It considers a proposed £10 a day payment as too low and unreflective of the value that consumers place on the service.

The consumers' group says this compares poorly with the £20 a day from British Gas after an initial 24 hours, and £40 per day after the first 24 hours and then £20 for each 12-hour period paid by electricity

companies. It is also critical of the suggested £25 compensation for hosepipe bans, saying this is inadequate for customers who have spent substantially on garden stocks.

With Ofwat only weeks from making a final recommendation to the Government on the levels of compensation that water companies should offer, the association complains that compensation should not be seen as a financial incentive for supplies not to be interrupted. It says the payments should fully reflect the loss of service, inconvenience and expense of boiling water.

The association has also asked the regulator to introduce a standard of service for vulnerable groups such as the elderly or disabled, who cannot easily use standpipes.

	Bank Buys	Bank Sales
Australia S	2.12	1.95
Austria Sch	15.72	15.22
Belgium Fr	48.65	44.55
Canada S	2.228	2.098
Cyprus Cyp	0.749	0.694
Denmark Kr	9.24	8.44
Finland Mark	7.49	6.84
France Fr	5.07	7.42
Germany Dm	2.38	2.17
Greece Dr	2.001	384.00
Hong Kong \$	12.55	12.55
Ireland Pt	1.02	0.94
Israel Shek	5.190	4.400
Italy Lira	251.00	236.00
Japan Yen	175.60	159.80
Malta	0.589	0.584
Netherlands Gld	2.620	2.420
New Zealand \$	2.42	2.20
Nicaragua N	10.33	9.53
Portugal Esc	249.00	24.00
S Africa Rnd	1.02	0.95
Spain Pte	198.00	182.00
Sweden Kr	10.97	10.77
Switzerland Fr	1.94	1.76
Turkey Lira	886.00	943.00
USA \$	1.657	1.507

Notes for small denomination bank notes only as supplied by Barclays Bank PLC. Different rates apply to travellers' cheques. Rates as at close of trading yesterday.



A tanker delivering water in Northumbria last month

Gloves stay on at BET/Rentokil Way clear for Anglo-French deal Hotels buffed up for sale this year

ONE of the oddities of City takeover battles is that some attract attention out of all proportion to their significance, while others are flowers destined to bloom unseen.

At the glamorous end of the spectrum are media companies and hoteliers, for example, especially if their premises are the regular haunts of the great and the good. At the other end are those in the boring business of actually making things as well as, say, rat-catching and the provision of linen hand-towels to those same hotels.

Explain a nation's rap fascination for the Forte/Granada battle, value £3.8 billion, which decided the fate of motorway service stations — oh, and some hotels. Explain the scant attention paid to the £9 billion takeover bid by Granada of Wellcome, which decided the future of most of the country's pharmaceuticals industry.

By this measure the Rentokil/BET tussle, value £1.8 billion, can expect minimal exposure, and so it has been so far. Rentokil's bland offer document looks designed to maintain this low profile.

The unwillingness to draw blood in public suggests that the two sides retain hopes of striking a deal, so saving some of the huge fees their advisers are already mentally totting up.

Rentokil's Clive Thompson is known as Mr 20 Per Cent for his insistence on annual earnings growth of this measure from such diverse services as rat-catchers, those useful people who provide your office with tropical plants, and assorted Mrs Mopps. He sees the bid as bringing into this empire a collection of similar, but less well-run, services.

This, then, is the industrial logic argument, having proven management skills by running one whelk stall properly, you take on a second one doing less well and repeat the trick. As evidence, he had initially pointed to the 24 per cent margins his service businesses enjoy, against 8 per cent at BET. But Rentokil has held back from hammering this point home again — a bid to maintain friendly relations? Or because those numbers, on close examination, do not stack up?

John Clark, the American who has been slowly turning round BET, rejects the industrial logic argument, because he knows it plays well with the City. He says Rentokil is trying to create a conglomerate, a word designed,

by contrast, to send the institutions running for cover. A trawl of recent takeover bids shows that those showing clear industrial logic tended to win those aimed at building a conglomerate either failed or the bidder subsequently underperformed the rest of the stock market.

These are the demarcation lines between which Rentokil/BET will be fought. Granada/Forte left a nasty taste, even in some City mounds. BET is not averse to an agreed deal. Rentokil's problem will be to find a price at which one can be struck that allows next year's 20 per cent target to be met.

Sonar so good for defence industry

Ergo! The merger of GEC's sonar business with that of Thomson-CSF of France, to be announced within weeks, is exactly the kind of deal Europe's shot-up defence industry needs.

The merger will create the world's leading sonar company, a business with the necessary firepower to confront its Amer-



can rivals, which are in the ascendant. Hitherto, GEC and Thomson have each maintained separate businesses developing and building sonar systems for submarines. These have competed with a joint venture between the same parties, Ferranti-Thomson Sonar Systems, for work from the British and French navies.

This dash set-up has allowed Britain's Ministry of Defence to maintain its cherished policy of competing suppliers. But the cost to the taxpayer of maintaining rivals for niche markets under acute cost pressure has been high. Now common sense is prevailing as Britain's rival for the number two slot in the world's defence industry league

table, France, faces up to the post-Cold War realities.

In some technologies — airframes, aero-engines, specialist electronics, frigates — neither Britain nor France can still afford one national champion, let alone two. So value for money for the taxpayer will be achieved by running competing design teams within a company — a practice championed by Boeing on civil jets and finding favour elsewhere — to come up with the optimum solution.

Thomson is in many respects an ideal partner for GEC-Marconi, Britain's second-biggest defence company after British Aerospace. Like GEC, Thomson is well run. Like GEC, it has taken advantage of growing overcapacity among its rival arms makers to buy in and rationalise surplus capacity, both British and Dutch.

The actual damage so far done to the precious Savoy high culture by the Forte vandals under Ramon Pajares as managing director has been limited, in spite of the howls of outrage from the die-hard Savoyards. The keenness on international mergers of smaller businesses is evidence of both French flexibility

buying in the fruit and veg, are hardly acts of desecration.

Nor is it unreasonable to accept that the customer today has different needs from the customer of 30 years ago, and tends to arrive, for example, encumbered with laptops and fax machines that require access to the outside world.

If the Savoy is this year going to be sold to a super-rich trade buyer, then the incumbent management has a duty to enhance the value of the shares by such measures, and to show that it is doing so.

Otherwise, the stock market's perception, and the share price, will lag behind events, and minority shareholders will be deprived of the full value of their investment.

A golden touch

A SPECTACULARLY misconceived report at the weekend suggested that Mr Midas himself, George Soros, had come unstuck. Classicists will recall that King Midas also came to regret and reject his gift. The Soros Quantum Fund has by its own success acquired the ability to move markets, so the report sent the European bond market into a tailspin. Quantum is to be commended for its willingness, therefore, to put the record straight so firmly and so quickly.



John Bond, chief executive of HSBC Holdings, left, with Douglas Flint, group finance director, yesterday

HSBC climbs despite Midland's bad debt rise

BY PATRICIA TEHAN, BANKING CORRESPONDENT

HSBC HOLDINGS, parent of Midland Bank and James Capel, the stockbroker, reported a 16 per cent rise in pre-tax profits to £3.672 billion last year.

Midland improved its performance, with profits of £998 million, against £905 million in 1994. First Direct, Midland's phone banking operation, made its first full-year profit.

However, Midland's bad debt charge more than doubled to £198 million, of which between £75 million and £100 million is thought to relate to its exposure to Eurotunnel, the troubled Channel tunnel operator. John Bond, HSBC's chief executive, refused to comment on the Eurotunnel exposure.

HSBC bad debt charges were £416 million, up from £275 million in 1994, after a £14

million increase in general provisions to £130 million. Investment banking profits, including James Capel and Samuel Montagu in the UK, fell 18.6 per cent to £171 million last year, with the biggest drops coming from equity securities: mostly James Capel, where profits were 54 per cent down at £27 million.

The business was affected by the downturn in volumes in equity markets in Hong Kong and costs associated with investments in South Africa, India and Australia.

Mr Bond refused to comment on speculation that HSBC might be interested in an acquisition in Britain or North America. Outlining strategy, he said that the bank would focus relentlessly on business in

Hong Kong, complete the integration of Midland Bank, expand in the rest of Asia Pacific, and work to enhance shareholder value. He said that he wanted to reduce seven main Midland operating systems to four and that investment in refurbishing the branch network continued.

Midland increased its mortgage share with a 11 billion rise in its mortgage book in spite of increased pressure on margins, and increased the size of its corporate loan book by £4 billion. Keith Whitson, its chief executive, said that pressure on margins remained.

A Midland spokesman said he did not recognise estimates from Bifu, the finance union, that more than 3,300 jobs were to be axed this year. He said to be axed this year. He said

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Funds on the rise at Brewin

AN aggressive acquisition drive at Brewin Dolphin has pushed up total funds under management by 24 per cent to break the £6 billion barrier (Robert Miller writes).

The fund manager and private client stockbroker reported a 4 per cent rise in profits to £4.2 million and raised its final payout by 17 per cent for the 55 weeks to December 31 to give a total dividend for the year of 1p. Total income in the extended reporting period was £34.5 million against £29.3 million in the previous 52 weeks.

Its next target for acquisition is James Finlay Investment Management, which has £100 million under discretionary management. John Hall, managing director of Brewin Dolphin, said: "We hope to complete the transaction in April."

Potential bidders check out Savoy Hotel group

BY ERIC REGUTY

THE Savoy Hotel group said it has been approached by several potential bidders but played down the likelihood of a sale in the near future, even though its financial outlook has improved substantially since the recession (see Pennington this page).

The warning came as the Savoy, whose properties include the Savoy, the Berkeley, Claridge's and the Connaught, posted a 15 per cent rise in pre-tax profits, to £11.5 million, in the year to December 31, and doubled the dividend on both classes of shares.

Granada acquired a 68 per cent stake in the Savoy when it won its hostile £3.8 billion bid for Forte in January. Granada wants to sell that stake either separately or in a package that includes Forte's Meridien and Exclusive luxury hotel chains.

The Wontner family, so far, have been unwilling to sacrifice control, but may be willing to do so if they are offered a high price.

such, will not be able to command a premium for its equity stake. Control lies with the Wontner family and the various trusts that back it. They own more of the B shares, which carry 20 times voting rights of the A shares.

The Wontners, so far, have been unwilling to sacrifice control, but may be willing to do so if they are offered a high price.

Turnover increased 5 per cent to £92 million and earnings per share more than doubled to 27.5p on the A shares and 13.8p on the B shares. The dividend on the A shares rises from 7p to 14p, while the dividend on the B shares goes from 3.5p to 7p.

■ Granada is expected to announce by the end of the week that it intends to sell the White Hart chain of mid-market hotels to Regal Hotels Group. Regal agreed to buy the hotels from Forte on January 22, the day before Forte's purchase by Granada.

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Bank staff back ballot over action

UNIFL, the union representing more than two thirds of Barclays Bank staff, will today announce that members have voted for a ballot on strike action over pay and conditions on the same day that the bank is expected to unveil record profits in excess of £2 billion (Robert Miller writes).

The union said about 83 per cent of members will reject Barclays' sixth below-inflation pay offer in as many years while more than half of Unifl members are calling for a ballot on strike action. Last year Barclays staff participated in the first national strike to hit the bank as the union claimed that Barclays' top six directors were awarded a total of £1.1 million in pay and share options. The union said staff work nearly three million hours of unpaid overtime each year, equal to £35 million worth of free labour.

Blue Circle to cut up to 1,300 jobs

BY CHRISTINE BUCKLEY

AS MANY as 1,300 jobs are likely to be lost across Europe in the restructuring of Blue Circle International's heating division, with the toll in Britain expected to exceed 370.

The shake-up in the division, which turned in a £100,000 profit for the first half of last year, compared with £12 million in the same period of 1994, was announced at the end of last year. Disclosure of the details has been held up by labour negotiations in France and Germany.

The redundancies and relocation of production will cost about £55 million — the amount that the company realises in profits from the sale of its landfill operations.

So far, the company has identified almost 800 certain job losses; it said its plans would lead to a further 400 to 500. Its provisions of £55 million cover a reduction of 1,150.

Blue Circle, which makes building materials and home products, has endured gradual erosion at its heating operation from the poor housebuilding and housing markets and a steal in market share by Italian producers, which have been undercutting prices.

James Loudon, finance director, said: "We have been affected by housebuilding but also the housing market in general. We are heavily housing transaction driven and also depend on a certain confidence in the economy for people to consider replacing their systems."

Half of the sales of boilers, for example, are replacements, with the other half share taken by new building.

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British Coal steps up sale of property

BRITISH COAL is increasing the pace of disposals of its once vast portfolio of property, hoping to complete the final sale by the end of this year (Christine Buckley writes).

British Coal has 15 more packages of land and commercial property to sell, including Trentham Gardens conference and leisure centre in Staffordshire.

The sale of land began last summer; so far £30 million has been raised.

Separately, British Coal was hoping late yesterday to hold talks with trustees of its pension funds.

The trustees, who earlier this month scuppered the company's plans to sell management of the £1.7 billion worth of pensions for miners and staff to Friends Provident for £70 million, were meeting yesterday to finalise their plans for the funds.

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STOCK MARKET

MICHAEL CLARK

Steel shows its mettle on talk of share buy-back

BRITISH STEEL began nudging towards its high with a rise of 4p to 182½p amid claims that it is thinking about a share buy-back programme.

By the close of business, almost 14.5 million shares had changed hands in a market where traders will usually make a price in 200,000 shares at a time. This latest rush of institutional support was prompted by suggestions that Steel wants to purchase up to 10 per cent of the equity in the marketplace in order to enhance earnings.

Some brokers said the group will have to make sure the dividend can survive intact any downturn in the steel industry worldwide before making plans to buy its own shares. No doubt brokers will tax the company on the subject when they begin a two-day tour of its operations starting in Rotherham, Yorkshire, today.

The rest of the equity market made a ragged start to the week with share prices and government bonds coming under pressure from political worries and another volatile early performance on Wall Street.

Investors anxious to see the outcome of the vote into the Scott inquiry remained on the sidelines, leaving the equity market to its own devices. As a result, prices opened lower and never looked like regaining their poise. An opening fall of almost 60 points in the Dow Jones average added to London's woes.

In the event, the FTSE 100 index, down more than 40 points at one stage, eventually closed 36.1 lower at 3,704.2.

Dealers last night warned clients that trading today could be fraught, with prices likely to dip below 3,700 in early trading as bears test the market. However, selling pressure yesterday was minimal and by the close of business just 628 million shares had changed hands.

Scotia Holdings was an early falter on the news that it was terminating its European distribution agreement with Pharmacia after its recent merger with Upjohn. Pharmacia had been responsible for the distribution of Tarberic, Scotia's treatment for complications in diabetes. Its shares reacted with a fall of 4p to 558p, although Williams de Bröe, the broker, said the fall had been overdone.

Early attention focused on



British Steel shares forged towards their high in busy trading

the financial sector. HSBC fell 16p to £10.56 after weighing in with full-year figures showing pre-tax profits up from £3.16 billion to £3.6 billion. But it was the subjects that the group refused to talk about that generated the most interest among brokers. They were keen to pose questions about Eutunnel write-offs and market talk about a possible

warded with a 23 per cent rise in the dividend to 21.75p on the back of a 10 per cent increase in pre-tax profits to £1.02 billion. The figures were bolstered by an initial £13 million contribution from FNFC. The group indicated that it was looking for acquisitions in the life and pensions sector, but this failed to reassure brokers worried about the group los-

The move is expected to save the group £25 million a year. The shares responded with a rise of 7p to 359p.

BET firmed 2p to 201½ after Rentokil posted its official offer document to shareholders. BET has already rejected terms of the bid from Rentokil that value the company at £1.8 billion. Clive Thompson, chief executive of Rentokil, last week said he would be happy to come to an agreement with BET to buy a large part of its business. This was also rejected by BET. Rentokil firmed 1p to 354p.

The Savoy Hotel Group has confirmed it has been approached by a number of bidders. Its independence was thrown into doubt by Granada's £3.9 billion acquisition of Forte, which owned 68 per cent of Savoy shares but only around 40 per cent of the voting shares.

Granada has already said it does not want to retain "trophy assets" and will be looking for a buyer for the stake it has inherited in the Savoy.

Talk in the market suggests the group is talking to a wealthy Middle East buyer. The news came as the group weighed in with full-year figures showing pre-tax profits 150 per cent higher at £11.5 million. The A shares were unmoved at £12.80, while Granite fell 1p to 703p.

Vaux, the pub operator and hotelier, enjoyed a mark-up of 7p to 280p on revived speculative buying. A total of 353,336 shares traded in a thin market.

□ **GILT-EDGED:** Sharp falls in US Treasury bonds and German bunds were mirrored in London. But London also had to contend with political worries and caution by investors ahead of tomorrow's £3 billion auction.

In the futures pit, the March series of the long gilt finished £2532 down at £1064 in heavy trading that saw a total of 80,000 contracts completed.

Conventional issues closed near their low of the session with benchmark Treasury 8 per cent 2015 losing £2732 at £97312, while at the shorter end Treasury 8 per cent 2000 was £1532 off at £102512.

□ **NEW YORK:** Shares on Wall Street moved sharply lower in morning trading with weak bonds prompting a broad market decline. At midday, the Dow Jones industrial average was down 49.13 points at 5,581.36.

The battle for control of Lloyds Chemists is finely poised after the decision of Gehe last week to raise its offer by 50p to 500p a share. At the last count, rival bidder UniChem accounted for almost 10 per cent of the shares. The result is not a foregone conclusion, so the late 8p fall in the price of Lloyds to 485p raised eyebrows.

For Royal Bank of Scotland, down 14p to 562p, but John Bond, chief executive, refused to comment. He also shrugged off worries about the handover of Hong Kong to China next year.

Abbey National, Britain's second biggest mortgage lender, failed to make any impression on the City in spite of upbeat comments about prospects. Shareholders were re-

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Plans to shed 1,150 jobs and the subsequent restructuring of its heating division will cost Blue Circle Industries £55 million in the current year.

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THE
TIMESCITY
DIARY

Home game at Exeter City

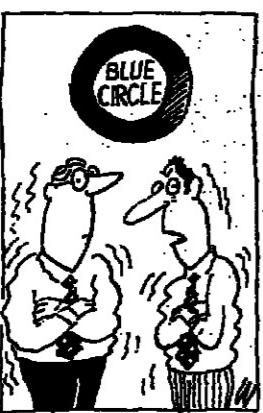
TEAM tactics at Beazer Homes have left Exeter City Football Club in some doubt as to the future of its 7,000 capacity stadium at St James's Park. Beazer Homes, who bought the ground nine months ago for £650,000 and hopes to build about 70 homes on it, has already turned down the club's offer of just below £800,000. Beazer is holding out for £1.2 million. Exeter City Council, as referred to in the newspaper, hopes to negotiate a compulsory purchase order by the end of this week, which would enable it to set up a trust and lease the ground to Exeter City Football Club.

Well, well

LEE STEEL STRIP of Meadowhall, Sheffield, asserts its bills from Yorkshire Water have rocketed to £200,000 a year since privatisation, and plans to reopen a 50-year-old well under its factory which will supply nearly two-thirds of its annual water needs and save £100,000.

Back to work

CITY UNIVERSITY, with help from the Corporation of London, is doing its bit to help professional people who have been made redundant. A three-day course, at the modest cost of £100, is being held in Central London between March 15 and April 16 to help them assess their potential for "fresh options" to get back into the workforce.



"More cost savings — they're cutting down in the heating division."

Jaguar trail

EVEN insurers are vulnerable to burglary, namely Gillian Clark, a director of Eagle Star, whose BMW was recently stolen, along with her prized Jaguar. Mrs Clark and her family were asleep when burglars broke into their converted barn that looks over the Cotswolds. Strangely, huge paw prints were found across the floor. The Clarks have since invested in their own canine.

Bull market

JURORS in the trial of Elizabeth Forsyth are hearing much about the cattle once owned by the family of Asil Nadir, and with a prize bull called Crackerjack in particular. And Mr Justice Tucker is at pains to ensure fair treatment for all. Jack Young, a pedigree cattle consultant, was brought up short yesterday when he told the court: "Females are always cheaper." He was referring, needless to say, to a heifer and not female staff. Mrs Forsyth denies handling stolen funds.

Inn place

A LUCRATIVE week for the Savoy Group, owners of the Lygon Arms, a rather grand hostelry in the heart of the Cotswolds, where the family of Sir Gordon Russell, the designer, once lived. Visitors are flocking to the picturesque village of Broadway, where, for the first time, Russell's workshops are open for inspection. The Lygon Arms, which boasts whole rooms of Russell furniture and costs at least £147 for the night, smugly next door to the design guru's workshops.

COLIN CAMPBELL



Sir Terence Conran's Conran Restaurants made a pre-tax profit of £2.8 million last year from mega-cafes like the 400-seat Quaglino's

Britons acquire a taste for eating out again

Carl Mortished looks into the growth of Britain's restaurant trade, up 25 per cent in the past five years

In a typical British high street, the most impressive building was once the bank; its classical stone facade boasted its substance to passers-by. Inside, the high ceilings of the banking hall encouraged patrons to lower their voices as though in the presence of something more important than money.

Victorian and Edwardian banking halls survived the property boom of the 1970s and 1980s. But today, the temples of Mammon are being converted to the worship of food. Where a whey-faced clerk once lectured a customer about a £50 overdraft, now a restaurateur with a fake tan flourishes a menu in which the same sum might just cover the cost of dinner for two.

The transformation of banks into restaurants is an apt commentary on the stupendous growth of the restaurant trade, up 25 per cent over the past five years. Eating out is a business now worth some £16.5 billion a year, ranging from burger chains to more pretentious establishments with big-name chefs. In pursuit of bigger profits, restaurants are growing in size, following the trend started by Sir Terence Conran's gastronomes. Themed restaurants, such as Planet Hollywood, which has announced its US flotation, are bringing in super profits from merchandising while in the UK, quoted restaurant operators, such as Pelican Group, are finally receiving serious attention from City stockbrokers.

Todays many landlords faced with empty space at street level would prefer the financial covenant of a restaurant operator than that of some fashion retailers. Mr Conran sees no reason for growth to slow, quoting statistics demonstrating half of the food consumed by Americans is eaten outside of the home, compared with only a quarter in Britain. "Manhattan had 14,000 restaurants. We have only 7,000 in London."

London's West End is seeing the biggest expansion, with restaurant operators paying large premiums for the right space. Mr Conran sees a property strip where rents are going sky-high from Piccadilly Circus to Leicester Square and on to Covent Garden. A route

well trodden by tourists, taking in Planet Hollywood, passing the proposed site of the Fashion Cafe and the soon to open Capital Radio restaurant in Leicester Square.

In Covent Garden, community residents are alarmed about plans by Scottish Widows, the insurer, for a 500-seat establishment fronting the Piazza. The rent for the 22,000 square foot could top £700,000. Mr Conran said: "Typically, a restaurateur will seek to keep his rent below 10 per cent of turnover, suggesting that the new restaurant will need to turn over £7 million to £10 million per year. Andrew Winskill, property director at Scottish Widows, sees no particular risk. "There is a great deal of demand for large units to achieve economies of scale," he said, but admitted that he feels happier to be landlord than a restaurant financier.

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Kings Cross even out even a modest sized restaurant can cost £250,000, while fixtures and fittings of a large themed operation could hit £1.5 million. The capital investment is amortised against profits over a period, but there is a concern that some

restaurants are not depreciating their assets as fast as fashion would dictate. Another concern is rising rents. Peter Webber, managing director of My Kinda Town, which owns several chains and recently secured the management contract for the Capital Radio restaurant, notes that rents in his London establishments have been static for ten years. Roger Myers, of Pelican Group, owner of the Cafe Rouge chain reckons West End rents will move up sharply and points out the advantage of small establishments. "If we make a mistake in one of our restaurants, the exposure is small. If you build a 700-seater and something goes wrong, you have a problem."

Restaurants typically make a 60-70 per cent gross margin on food, so the secret to big profits is to keep overheads stable while getting more diners through the door. Mr Myers said that an establishment taking £1 million at the till might pay out 30 per cent in wages, 30 per cent on food, 10 per cent on rent and rates, leaving the owner with £200,000 in operating profit. Businesses such as Planet Hollywood can earn bigger bucks selling memorabilia at three or four times cost.

The trendsetter in megarestaurants is Sir Terence Conran, whose Conran Restaurants company made a pre-tax profit of £2.8 million last year from restaurants like the 400-seat Quaglino's and the 700-seat Mezzo, which has an annual turnover of £14.15 million. According to Joel Kissen, managing director,

the pace is not slowing, with a new restaurant opening just off Regent Street and another on the King's Road. Conran walked away from a chance of a lease at the top of the Oxo building overlooking the Thames, since snapped up by Harvey Nichols. "We didn't want to pay that sort of money. They were looking for £28 per sq ft," Mr Kissen said. "Property prices are going up, in some cases, dangerously so."

The durability of the craze for eating out is being put to an unpleasant test by the recent IRA bombing campaign. Roger Myers has seen a recent lessening of crowds in the West End, but the feeling is that the effect will be temporary and that Britain is experiencing a more fundamental change in culture.

Jonathan Lane, chief executive of Shaftesbury, which owns the Chinatown Estate, reckons his tenants are seeing growth from British families, not tourists. "The biggest fortnight in Chinatown was during the October half-term holiday, last year. Some restaurants turned their tables over six times."

There will be failures and the public may grow tired of the gastronomes. In New York, it is reckoned that 80 per cent of new restaurants fail within two years but others quickly take their place. Once exposed to new tastes, the public will clamour for more.

Morals more than markets

Amid all the lies and dissimulations covered by the Scot report perhaps the most important was one completely missed by the learned judge, who presumably has no more knowledge of economics than he does of plain speaking. Let me express it in the words of Ian Lang, President of the Board of Trade, speaking in Parliament yesterday:

"The moral case for refusing defence exports has to be set against British economic interests. The arms industry provides employment to 400,000. Arms exports make an important contribution to Britain's overseas trade." You can imagine the rest — *pecunia non olet*; export or die, blah, blah, blah.

Any undergraduate economist knows that these arguments are false. The total level of employment in an economy is not determined by the fortunes of any particular industry, or group of industries, in anything but the very short term. If Britain stopped producing all arms tomorrow 400,000 millions workers might lose their present jobs. But most would quickly be re-employed in different industries, provided only that the total level of spending in the economy was maintained.

But why should there be no drop in the level of demand? Because the Government has a policy of setting interest rates on the basis of prospects for growth and inflation. If unemployment rises after the defence cuts, inflationary pressures diminish and the Chancellor cuts interest rates until the original level of employment is restored. In practice, of course, the Chancellor may fail to do this. But then it is monetary policy, rather than defence cuts, that should be blamed for destroying jobs.

Consider the US experience since 1990. More than a million defence workers have been made redundant, yet total unemployment has steadily declined. The Federal Reserve has made clear that its monetary policy was directly conditioned by the cuts in defence employment. If defence jobs had not been reduced, the US interest rates would have been higher — the total level of employment would have been much the same.

But what about arms exports? Surely Britain must pay its way in the world with exports? This is another misconception — a relic from the days of fixed exchange rates and sterling crises. In a country that maintains a floating exchange rate, exports are no more important than goods or services of any other kind. If Britain stopped selling arms abroad, the only consequence would be a small slide in sterling. This would marginally reduce British living standards by making imports more expensive — but also help non-military exporters to sell their wares.

Samuel Brittan of the Financial Times, in an article last Monday, estimated that the maximum reduction in British living standards from eliminating all arms exports — including even exports to our Nato allies — would be about £3 billion or £1 a week per British citizen.

The effect of eliminating just a few odious regimes and a few weapons would be negligible.

But why should we jeopardise the employment of even a few Britons and force them to seek lower-paid jobs in other industries? This question is best answered with another. Why should we deny many thousands of young Britons employment in the cocaine and heroin industries and force them to seek much lower-paid jobs elsewhere?

The answer is that governments exist to make moral choices — and nations are defined by the choices they make. This is indeed one of the main reasons for preserving an independent currency and rejecting European Monetary Union. A floating currency gives Britain the freedom to make its own political choices. But we must then accept moral responsibility for the choices we make. To blame "economic realities" and "market forces" is either ignorance or hypocrisy. In the present Government, there seems to be plenty of both.

Alasdair Murray on bingo's battle to compete

Gaming laws ripe for overhaul



Chips are down for casinos, which want "puritanical" restrictions abolished

Bingo players tend to have a modest disposable income and the industry believes that a 14 per cent fall in attendances and 35 per cent drop in profitability this year can be blamed almost entirely on the lottery. The industry should also benefit from another report from the Commons Committee on Deregulation, also due in the next few days, increasing the number of fruit machines that bingo clubs can put on their premises, and the size and type of prize.

Casinos, which attract higher-spending customers, have been less affected by the lottery. But the industry, which has grown strongly in recent years, is hampered from further expansion by a series of puritanical restrictions.

Brian Lemon, general secretary of the British Casino Industry, said: "It has always been difficult to build up a

profile when our 118 casinos are spread right across the country and we face a blanket ban on advertising.

The ban is one restriction that the industry is hoping will be lifted, although it is not arguing for complete deregulation but a relaxation of rules that will allow casinos to make their presence known to tourists and business travellers.

For the same reason, the industry is confident that a 48-hour delay on membership will be lifted to allow short-term travellers to play. Other measures it expects to be included in the paper are the abolition of antiquated payment laws, which allow chips to be purchased by cheque but not by debit and credit cards, and the relaxation of licensing laws to permit alcohol to be served after midnight.

For John Hill, Director of Industry, Corby Industrial Development Centre, Grosvenor House, George Street, Corby, Northants NN17 1TL. Tel: 01536 262571. Fax: 01536 401374.

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BT to offer domestic service on the Internet

By ERIC REGULY

BRITISH TELECOM is to launch a mass market Internet service designed to appeal to consumers with limited funds and limited patience for high-tech gear.

BT said yesterday that BT Internet will be offered in late March and will compete mainly with Demon, Pipex and Compuserve, Britain's leading online services. Roger Gavin, BT's multimedia director, said the company intends to become a "major player" in the fast-growing domestic Internet market, which he estimated would be worth £2 billion a year by the year 2000.

BT Internet is aimed at residential customers and first-time users. They will be charged a one-time connection fee of £20, including VAT, plus a monthly fee of £15.

Profits fall at Lilleshall

THE weak housing market was highlighted yesterday by Lilleshall, the building and consumer products group, as it revealed a 22 per cent fall in full-year pre-tax profits to £4 million (Alasdair Murray writes).

Profits in the building products division fell 68 per cent to £918,000, hit by a large loss at Ideal Williams, the window business. Lilleshall said it believed that in the short term, the division would continue to make a loss, but that restructuring would allow the business to recover as soon as market conditions improved. The dividend was maintained at 4.85p, to be paid on May 24.



Bill Fairservice, right, with Geoff Billson, finance director, at the Croydon plant

Zotefoams to boost capacity

By PHILIP PANGALOS

ZOTEOFOMS, the specialist foam manufacturer, plans to increase capacity by up to 55 per cent by mid-1997 to cater for a rise in demand.

The company, whose managing director is Bill Fairservice, yesterday reported a rise in pre-tax profits to £7.18 million (£4.59 million) in the year to December 31, on turnover ahead 29 per cent to £22.8 million. Strong demand

has resulted in the Croydon plant operating at 100 per cent capacity. Zotefoams is undergoing a capacity expansion programme which will raise capacity 55 per cent by mid-1997. An initial £7.5 million expansion programme will see an increase of 35 per cent by the end of next month.

Mr Fairservice said: "With new capacity currently being commissioned, we are well

placed to meet the increased activity which we expect to see in most of our major markets." There is a final dividend of 3.6p, payable on April 26, giving 5.4p (notional 4.65p) for the year, from pro forma earnings up 36 per cent to 13.6p (10p) a share.

The shares continued their strong run with a 9p rise to 290p, double last year's flotation price of 145p.

HSBC Holdings plc



Results for 1995

For the year	1995	1994
Profit before tax	£3,672m	£3,166m
Profit attributable to shareholders	£2,462m	£2,053m
Earnings per share	94.01p	79.60p
Dividends per share	32.00p	27.00p
Capital resources	£21,324m	£18,098m

- Pre-tax profit up 16% and attributable profit up 20%
- In Hong Kong dollar terms pre-tax profit up 19% and attributable profit up 23%
- Earnings per share up 18%
- Dividends per share up 18.5%
- Recommended final dividend of 22.75 pence per share, with scrip dividend alternative
- Risk asset ratio 14.7% and tier 1 capital ratio 9.5%

Comment by Sir William Purves,
HSBC Group Chairman

"Our performance in 1995 was generally good, with profits well spread. The HSBC Group continued to expand with new offices or branches in such diverse places as Adelaide, Beijing, Binondo, Chon Buri, Dallas, Guangzhou, Ho Chi Minh City, Islamabad, Jericho, Milan, the South Bronx, West Mississauga and Yangon. Over the course of the year, a number of operating companies within the Group adopted the HSBC identity, helping to build our global brand."

"Our equity securities brokers, James Capel, and our merchant bankers, Samuel Montagu, are currently integrating within HSBC Investment Banking, and HSBC Securities, Inc. has been granted a licence by the Federal Reserve Board to underwrite and distribute both debt and equity securities in the United States."

"In a highly-competitive environment where margins remain under pressure, particularly in the United Kingdom and in Singapore, the challenge is to keep revenue growing faster than costs. We continue to invest in training and technology, and with the commitment of our staff in over 70 countries, we will strive to sustain customer and shareholder satisfaction throughout 1996."

Copies of the full results announcement may be obtained from Group Public Affairs, 10 Lower Thames Street, London EC3R 6AE, United Kingdom. The 1995 Annual Report and Accounts will be sent to shareholders on or about 19 April 1996.

Incorporated in England with limited liability
Registered in England: number 617987
Registered Office and Group Head Office: 10 Lower Thames Street, London EC3R 6AE, United Kingdom

Flotation planned by Data Sciences

By PHILIP PANGALOS

DATA SCIENCES, the information technology service group, is looking to float on the stock market, with plans to raise up to £50 million through an institutional placing, which is expected to capitate the group at about £80 million.

The company, which was formed in 1991 after a £67 million management buyout from Thorn EMI and restructured by a new management team in 1993, plans to use the proceeds from the float to redeem preference shares and virtually eliminate debt.

Data Sciences provides a range of information technology business services, including customised solutions through consultancy, systems integration and outsourcing for the finance, commercial, defence, government, aerospace and telecommunications industries.

Improved margins helped Data Sciences, which operates in the UK, The Netherlands and Germany, to lift operating profits 80 per cent to £6.1 million in the year ended September 30, on sales up 18 per cent to £106 million. The order book at the last year end was £101 million.

Andy Roberts, chief executive of Data Sciences, said: "During the first four months of the current financial year, trading is ahead of last year and our record of margin improvement has continued."

"The flotation will enable us to extend share ownership throughout the group and accelerate our plans for growth."

The group's 1,700 employees will be offered about £100 of free shares to encourage equity participation.

The final prospectus, with pricing details, is due to be published on March 15, with share dealings expected to begin on March 21. The issue will be underwritten by Hambros and the shares will be placed by James Capel.

Scare over low-dose pill hits Akzo Nobel

AKZO NOBEL, the Dutch chemicals, paints and pharmaceuticals group, said its 1995 results were better than the previous year's but fell short of expectations because of the slowing of the European economy, the strength of the guilder and mark, and the medical scare over its "low-dose" birth control pills, which are sold as Marvelon and Mercilon. Net income was £14.6 million guilders (£518 million) for the year to December 31, up 11.5 per cent, on sales of 21.49 billion guilders, down 3 per cent. Net income per share was 18.46 guilders (£7.64 guilders). The dividend is maintained at 7 guilders.

The company said that the outlook for this year was not encouraging. Turnover in the UK, where 4,000 people are employed, was £550 million, of which between 65 and 70 per cent came from Crown Berger paints. Export-led demand was behind growth in output of chemicals from factories in Gillingham, Kent, and Blackburn and Rochdale in Lancashire.

Mitsui Babcock contract

MITSUI BABCOCK ENERGY (MBEL), the energy engineering business, has won a \$130 million power station boiler contract in China. The contract is for the supply of coal-fired boilers for a 700-megawatt power station to be built at Fuzhou in Fujian province. The consortium of MBEL and Siemens has a combined contract with a total value of about \$300 million from Huansheng Power International of China. MBEL is 75 per cent owned by Japan's Mitsui Engineering and Shipbuilding, with the balance owned by Babcock International.

Healthcare group ahead

COMMUNITY HOSPITALS, the healthcare group, yesterday reported a 20.3 per cent rise in pre-tax profits, to £3.9 million, in the half year to December 31, on turnover of £33 million, up 11.4 per cent. Growth in the hospitals division was strong enough to offset lower returns in the nursing homes business. The company said that budgetary constraints by local authorities plus the trend towards shorter stays by patients were behind the homes' slow growth. An interim dividend of 3.4p, up from 3p, is to be paid on May 10.

Retailer beats forecast

CASH CONVERTERS INTERNATIONAL, the Australian discount retailer that secured a share listing in London last year to help finance the development of its UK outlets, earned pre-tax profits of A\$1.49 million (£734,000) in the half year to the December 31, compared with a flotation forecast of A\$1.4 million. Earnings were 1.02 cents a share, compared with 0.02 cents previously. A fully franked dividend of 1.3 cents has been declared, payable in sterling to shareholders based in the UK. The shares were unchanged at 30p.

Own brands help ISA

ISA INTERNATIONAL, the electronics group, increased pre-tax profits to £6.2 million from £4.8 million in 1995, on turnover up 17 per cent to £211 million. Earnings per share increased 21 per cent to 9.9p from 8.2p. The total dividend was up 25 per cent at 1.65p a share, with the board recommending a final payment of 2.38p. Profits were helped by own brand products and by the joint venture with UK Virgin Euromagnetics to market a range of Virgin brand named goods.

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Success looms large in the old-fashioned way

Mark Andrews discovers that traditional craftsmanship can prevail in the Nineties

National Westminster Bank has extended its business angels service nationwide after running a pilot scheme for 15 months. Investors who register with the bank are asked to provide details of their investment preferences. Businesses seeking backers can contact their NatWest branch. The service is free to both parties.

□ Solocet, the South London Training and Enterprise Council, is running a one-day conference on improving business performance and profitability at Fairfield Halls, Croydon, on May 22. The cost is £225, plus VAT, and companies outside the area can attend. Details from Clare Marland on 01730 206544.

□ An interest-earning account has been introduced by Lloyds Bank so that businesses can invest small surplus amounts. Money may be taken from the Business Reserve Account with 14 days' notice, but one withdrawal per quarter is notice-free, allowing customers to pay unexpected bills. Gross interest is 3.8 per cent gross on sums up to £10,000, and 4 per cent above £10,000 — most accounts pay competitive rates only on balances above £10,000.

□ West London Training and Enterprise Council will next month start a business training course to give advice to blind and partially sighted people who are thinking of setting up their own business. Two of the lecturers have impaired vision and are self-employed.

□ Sales by London businesses in all sectors have risen significantly in the past year, says a survey based on 4,400 interviews conducted for the capital's eight training and enterprise councils. About 60 per cent expected this improvement to continue. The survey reported a boom in white-collar jobs, mainly in financial and business services, and a large number of hard-to-fill vacancies, but fewer businesses were found to be giving the training that would help to provide the staff needed. Details: 01626 852130.

□ The London Enterprise Agency (LEntA), which provides advice and training for small businesses, has helped to set up 23 enterprise agencies in Russia. Staff from LEntA, which is working on the project until April with the Barfield Enterprise Agency from north London and two consultancies, are showing Russian trainers how to manage an enterprise agency and work with small businesses. The project is financed by the European Commission.

Dit is a heap of old junk and is constantly breaking down, but the world is beating a path to the factory door to buy its output. Richard Humphries, 45, runs a factory that weaves silk the old-fashioned way on hand looms that should have been dumped during the Industrial Revolution.

"They're always breaking down, but repairing them is not a problem," says Mr Humphries. "And the world loves what they turn out." Against intense competition from Europe — mainly Italy and France — The Humphries Weaving Company has won prestigious contracts to make high-quality silk fabrics for the Gatchina Palace, in St Petersburg, and Ehrenberg Castle, in Bavaria.

He won the contract in Russia when a British expert from a London auction house happened to mention his name to the curator of the Russian museum during a visit. "We have the ability to create an authentic reproduction with regard to the width of the material. That's very important," says Mr Humphries. "Modern machinery produces very wide widths. But our secret is to weave the measure of three spans of the hand — about 21 inches — as was the original for the loom."

His Russian order for 70 metres of fabric is being woven from a tiny sample sent from St Petersburg. It will be used in the palace to replace the original wall hangings. With the order from Bavaria, it will account for 25 per cent of his 1996 production. The cost is a trade secret, but it could be as high as £400 a metre.

When his machines are not clattering back and forth making export orders, they make silk for the robes of the Speaker of the House of Commons and for the Queen's robes.

I suppose you could call us old romantics, but we're trying to preserve an ancient craft and we've gone to a lot of trouble not to modernise the machinery," Mr Humphries says.

"We are the last outpost of this trade in the UK. We're happy being an anachronism."

His machines made their appearance on the industrial scene between 1806 and 1850. They include 16 looms invented by Joseph Jacquard, and a flying shuttle invented by John Kay's

in the late 18th century to revolutionise the weaving trade.

In Mr Humphries's mill at Braintree, Essex, they are still operating by manpower as they did 150 years ago. "A case of pull and pedal," says Mr Humphries. "This is our forte, making these highly complex textiles in the same manner as when they were originally designed."

"Modern machinery falls down over quality. It is designed for high efficiency and high output. I'm afraid quality is sacrificed for quantity. Our warp threads here have 500 silk strands in an inch of material. Your modern-day textiles have only a couple of hundred."

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Derek Chatton, loom operator, weaves his magic on antique machinery

Green colours the thinking behind new business park

BY LOLA SMITH

BRITAIN'S greenest business park is being established by the Development Board for Rural Wales on a former railway goods yard at Machynlleth in Powys. The two-acre site is designed primarily to accommodate small local businesses, and it is expected that up to eight factory units will be constructed.

The first of these, the brainchild of Julian Bishop, a Pembrokeshire architect, is nearing completion. It is a 6,000 sq ft, two-storey building constructed mainly from locally sourced, environmentally friendly materials.

The timber building is made of Welsh durable softwoods, such as the Douglas fir. The roof is a combination of glass and Welsh slate. Even the insulation material, made from recycled newspapers, is produced in South Wales.

The factory's energy efficiency means it is expected that fuel bills will be 60 per cent lower than a conventional factory of similar size. To ensure that it achieves — and hopefully exceeds — this target, there will be independent energy monitoring by the University of East Anglia.

The building is virtually airtight.

According to Mr Bishop, the average building has 12 changes of air an hour; the eco factory has only 4.5. An additional saving is achieved through generous use of glass in the roof, allowing most of the factory's activities to take place in daylight, and, by warming the building, passive solar heat will reduce dependence on central heating.

There is also an automatic cooling system — when the temperature tops 25C the roof's windows will open.

Initially, the premises will be

heated by natural gas. Eventually, it is hoped that the entire business park will be powered by methane, which will be recycled and piped from Welsh Water sewage works near by where the gas is produced.

Mr Bishop was determined that his factory would offer the healthiest possible environment for tenants. Therefore, the paints used are produced from natural products, and the flooring is made of plywood rather than chipboard to reduce the amount of formaldehyde in the building.

Rated as "excellent" by the Building Research Establishment's environmental assessment, it has cost just over £300,000, only 10 per cent more than the board pays for a similar-sized conventional factory.

The first tenant will be a very green, small Machynlleth firm, which has worked on the design with Mr Bishop.

As a result of this development, the old station goods yard has been transformed. Birch and rowan trees are being planted, and a new wall of willow trees will create a visual acoustic and dust barrier between the eco park and the adjacent main road.

A species of fern (the rusty-backed fern) that can take 80 years to colonise a location was carefully removed from a wall surrounding part of the site during construction. It has now been returned to its original dry-stone wall habitat.

To get the environmentally friendly message across to Machynlleth's car drivers, a three-metre-wide cycle path has been included, which it is hoped will become part of the national network of cycleways being supported by the Millennium Commission.

Chemists in crisis get help on the line from their fellows

BY BRIAN COLLIOTT

GROWING pressures on the pharmacists who run high street chemist shops are causing so much concern that their professional body has set up a counselling service to help them.

More owners of small chemist shops are suffering from stress because their income has been hit by new business trends and government policy.

Competition on the pharmacy side has come from the increasing number of chemist

shops run by multiples and from large supermarkets with dispensing services. Both also compete by selling toiletries and other over-the-counter goods at prices that the small chemist shops cannot match.

Income has also been cut by a progressive reduction in the NHS fee per prescription item dispensed and by new rules on the professional allowance for dispensing. The full allowance of £1.30 a month is paid only if a pharmacist dispenses 1,600 items a month. A proportion is paid if between 1,100 and 1,600 items a month are dispensed.

Below 1,100, there is no payment. The last straw for some pharmacists is that they cannot sell their business on retirement because it is not profitable enough.

The stress is reflected, to some extent, in a high suicide rate among pharmacists. However, Alan Nathan, a Royal Pharmaceutical Society council member, says: "This is partly because pharmacists have access to drugs."

Mr Nathan, a former community pharmacist who is now working as an academic at King's College London, set up the society's counselling scheme, called Listening Friends,

with Susan Sharpe, the legal services director. Two co-ordinators, who are practising psychotherapists as well as pharmacists, run it. Volunteer pharmacists trained in listening skills counsel callers by telephone or face-to-face. The counsellors advise on both personal and business worries.

Mr Nathan said: "Pharmacists seeking help will know they are talking to a fellow member of the profession who can understand, and has insight into, pharmacists' problems."

□ Listening Friends: 0171-820 3387

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Losses in thin trading

TRADING PERIOD: Settlement takes place five business days after the day of trade. Changes are calculated on the previous day's close, but adjustments are made when a stock is ex-dividend. Changes, yields and price/earnings ratios are based on middle prices.

1995/6										1995/6										1995/6											
	High	Low	Company	Peter	Stk	Vol	%	PE		High	Low	Company	Peter	Stk	Vol	%	PE		High	Low	Company	Peter	Stk	Vol	%	PE					
ALCOHOLIC BEVERAGES																															
BANKS	117.0	107.0	Barclays	117.0	107.0	1,200	-7.3	12.0		117.0	107.0	Barclays	117.0	107.0	1,200	-7.3	12.0		117.0	107.0	Barclays	117.0	107.0	1,200	-7.3	12.0					
BREWERIES, PUBS & RESTAURANTS	17.0	16.0	Adnams	17.0	16.0	1,000	-5.9	12.0		17.0	16.0	Adnams	17.0	16.0	1,000	-5.9	12.0		17.0	16.0	Adnams	17.0	16.0	1,000	-5.9	12.0					
DIVERSIFIED INDUSTRIALS	10.0	9.0	Aerospace	10.0	9.0	1,000	-10.0	12.0		10.0	9.0	Aerospace	10.0	9.0	1,000	-10.0	12.0		10.0	9.0	Aerospace	10.0	9.0	1,000	-10.0	12.0					
ENGINEERING, VEHICLES	11.0	10.0	Alstom	11.0	10.0	1,000	-9.1	12.0		11.0	10.0	Alstom	11.0	10.0	1,000	-9.1	12.0		11.0	10.0	Alstom	11.0	10.0	1,000	-9.1	12.0					
FOOD MANUFACTURERS	10.0	9.0	Amcor	10.0	9.0	1,000	-10.0	12.0		10.0	9.0	Amcor	10.0	9.0	1,000	-10.0	12.0		10.0	9.0	Amcor	10.0	9.0	1,000	-10.0	12.0					
ELECTRICITY	10.0	9.0	Anglo American	10.0	9.0	1,000	-10.0	12.0		10.0	9.0	Anglo American	10.0	9.0	1,000	-10.0	12.0		10.0	9.0	Anglo American	10.0	9.0	1,000	-10.0	12.0					
ELectronic & Elect.	10.0	9.0	Anglo Gold	10.0	9.0	1,000	-10.0	12.0		10.0	9.0	Anglo Gold	10.0	9.0	1,000	-10.0	12.0		10.0	9.0	Anglo Gold	10.0	9.0	1,000	-10.0	12.0					
HEALTHCARE	10.0	9.0	Anglo Irish	10.0	9.0	1,000	-10.0	12.0		10.0	9.0	Anglo Irish	10.0	9.0	1,000	-10.0	12.0		10.0	9.0	Anglo Irish	10.0	9.0	1,000	-10.0	12.0					
HOUSEHOLD GOODS	10.0	9.0	Anglo American	10.0	9.0	1,000	-10.0	12.0		10.0	9.0	Anglo American	10.0	9.0	1,000	-10.0	12.0		10.0	9.0	Anglo American	10.0	9.0	1,000	-10.0	12.0					
INDUSTRY	10.0	9.0	Anglo Gold	10.0	9.0	1,000	-10.0	12.0		10.0	9.0	Anglo Gold	10.0	9.0	1,000	-10.0	12.0		10.0	9.0	Anglo Gold	10.0	9.0	1,000	-10.0	12.0					
ENGINEERING	10.0	9.0	Anglo Irish	10.0	9.0	1,000	-10.0	12.0		10.0	9.0	Anglo Irish	10.0	9.0	1,000	-10.0	12.0		10.0	9.0	Anglo Irish	10.0	9.0	1,000	-10.0	12.0					
INSURANCE	10.0	9.0	Anglo Irish	10.0	9.0	1,000	-10.0	12.0		10.0	9.0	Anglo Irish	10.0	9.0	1,000	-10.0	12.0		10.0	9.0	Anglo Irish	10.0	9.0	1,000	-10.0	12.0					
INVESTMENT TRUSTS	10.0	9.0	Anglo Irish	10.0	9.0	1,000	-10.0	12.0		10.0	9.0	Anglo Irish	10.0	9.0	1,000	-10.0	12.0		10.0	9.0	Anglo Irish	10.0	9.0	1,000	-10.0	12.0					
CHEMICALS	10.0	9.0	Anglo Irish	10.0	9.0	1,000	-10.0	12.0		10.0	9.0	Anglo Irish	10.0	9.0	1,000	-10.0	12.0		10.0	9.0	Anglo Irish	10.0	9.0	1,000	-10.0	12.0					
DISTRIBUTORS	10.0	9.0	Anglo Irish	10.0	9.0	1,000	-10.0	12.0		10.0	9.0	Anglo Irish	10.0	9.0	1,000	-10.0	12.0		10.0	9.0	Anglo Irish	10.0	9.0	1,000	-10.0	12.0					
SHORTS (under 5 years)																															
1995/6	High	Low	Stock	Peter	Stk	Vol	+	%	PE		1995/6	High	Low	Stock	Peter	Stk	Vol	+	%	PE		1995/6	High	Low	Stock	Peter	Stk	Vol	+	%	PE
1995/6	10.0	9.0	Abingdon	10.0	9.0	1,000	-10.0	12.0		1995/6	10.0	9.0	Abingdon	10.0	9.0	1,000	-10.0	12.0		1995/6	10.0	9.0	Abingdon	10.0	9.0	1,000	-10.0	12.0			
1995/6	10.0	9.0	Abingdon	10.0	9.0	1,000	-10.0	12.0		1995/6	10.0	9.0	Abingdon	10.0	9.0	1,000	-10.0	12.0		1995/6	10.0	9.0	Abingdon	10.0	9.0	1,000	-10.0	12.0			
1995/6	10.0	9.0	Abingdon	10.0	9.0	1,000	-10.0	12.0		1995/6	10.0	9.0	Abingdon	10.0	9.0	1,000	-10.0	12.0		1995/6	10.0	9.0	Abingdon	10.0	9.0	1,000	-10.0	12.0			
1995/6	10.0	9.0	Abingdon	10.0	9.0	1,000	-10.0	12.0		1995/6	10.0	9.0	Abingdon	10.0	9.0	1,000	-10.0	12.0		1995/6	10.0	9.0	Abingdon	10.0	9.0	1,000	-10.0	12.0			
1995/6	10.0	9.0	Abingdon	10.0	9.0	1,000	-10.0	12.0		1995/6	10.0	9.0	Abingdon	10.0	9.0	1,000	-10.0	12.0		1995/6	10.0	9.0	Abingdon	10.0	9.0	1,000	-10.0	12.0			
1995/6	10.0	9.0	Abingdon	10.0	9.0	1,000	-10.0	12.0		1995/6	10.0	9.0	Abingdon	10.0	9.0	1,000	-10.0	12.0		1995/6	10.0	9.0	Abingdon	10.0	9.0	1,000	-10.0	12.0			
1995/6	10.0	9.0	Abingdon	10.0	9.0	1,000	-10.0	12.0		1995/6	10.0	9.0	Abingdon	10.0	9.0	1,000	-10.0	12.0		1995/6	10.0	9.0	Abingdon	10.0	9.0	1,000	-10.0	12.0			
1995/6	10.0	9.0	Abingdon	10.0	9.0	1,000	-10.0	12.0		1995/6	10.0	9.0	Abingdon	10.0	9.0	1,000	-10.0	12.0		1995/6	10.0	9.0	Abingdon	10.0	9.0	1,000	-10.0	12.0			
1995/6	10.0	9.0	Abingdon	10.0	9.0	1,000	-10.0	12.0		1995/6	10.0	9.0	Abingdon	10.0	9.0	1,000	-10.0	12.0		1995/6	10.0	9.0	Abingdon	10.0	9.0	1,000	-10.0	12.0			
1995/6	10.0	9.0	Abingdon	10.0	9.0	1,000	-10.0	12.0		1995/6	10.0	9.0	Abingdon	10.0	9.0	1,000	-10.0	12.0		1995/6	10.0	9.0	Abingdon	10.0	9.0	1,000					

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LAW

Despite renewed worries over peace, Edward Fennell finds practices still investing in Belfast



Belfast's well-protected law courts, close to the site where Kennedy's has opened the first fully-fledged office of a substantial London practice

Firm hopes for Ulster

Timing, they say, is everything. So what can be made of the recent decision by Kennedy's, the leading London insurance specialists, to open an office in Belfast?

Opinion among lawyers in Ulster is mixed. Some saw it as a calculated move by Kennedy's to be on the ground on behalf of the London insurance market as trouble resurfaced. Others saw the firm as being wrong-footed by recent events and now being stuck with an office it would be better off without.

Whatever the truth, the local insurance specialists are nervous about this new arrival on their doorstep: John Caldwell, a local lawyer who specialises in insurance, said: "Kennedy's is much bigger than any Belfast firm, so it is obviously seen as a threat. It is here because it sees a commercial advantage in it."

Whether Kennedy's arrival

— opposite the law courts — will generate new work, or cream it off from the locals, it is clear that Belfast has now got its first fully-fledged office of a substantial London practice. Other leading London firms (including Travers Smith Brinshaw) have been rumoured to have looked at Belfast over the past 18 months but did not follow through (and now show no immediate signs of doing so).

Kennedy's, however, has made the investment. Moreover, Belfast is seen as being just the first step. According to a partner in the firm, it foresees the development of an all-Ireland practice as the next stage in its progress. He said: "We're bound to take an interest in developments in Dublin."

Northern Ireland itself, of course, is a small market and the Troubles' deterred investment and kept commercial legal services at a relatively

low level. Since August 1994, however, business has grown very quickly and this was matched by several important developments in Belfast-Dublin cooperation among lawyers. One lawyer commented: "You must understand that there is a complete separation between business and politics here. We do business in an open way and are keen to cooperate with people on the other side of the border."

The best example came last autumn when, encouraged by the peace process, the Dublin firm of A&J Goodbody came to a formal arrangement with Elliott: Duffy Garrett of Belfast. The two firms are now operating as a European Economic Interest Group and are exchanging staff, co-operating on transactions and showing all the signs of being an embryonic merger. According to Harry Coll of Elliott's, the practice grew strongly post-ceasefire with a 20 per cent rise

in staff. More important

is that since August 1994, it started to get into the kind of up-to-date commercial practice denied it while the bombs were going off. Mr Coll said: "We recruited people from Britain and left we were entering the mainstream of legal practice. There was a feeling that we were comparable to Manchester or Newcastle."

Whether that momentum will be sustained is now the important question. John Cronin from McCann Fitzgerald, the Dublin firm, commented that the past 18 months had given the Ulster business community much wider horizons and that recently there had been increasing investment activity from the North into the South. Such work was likely to continue, said Mr Cronin, whatever happened to the peace process. He said: "Over the

past 18 months we've all had to take account of deals in the North and take on an increased workload."

What was less certain was the investment in the other direction. According to Donal Roach of the Dublin firm Matheson Ormsby Prentice, there was bound to be a degree of uncertainty in the minds of the business community in the Republic about continuing to invest heavily in Belfast. Already lawyers have seen deals that they had nurtured for some time being put on hold as cautious investors opted to defer investments until the future becomes clearer.

Kennedy's seems undeterred. Like many new businesses which have opened in recent months, its office is staffed by Ulstermen who wanted to return home. They insist that continuing peace

was not a condition of return — so let's hope they won't be disappointed.

The debt we owe to Honest Abe

None of the candidates seeking the Republican nomination to run for President of the United States this year could overcome the handicaps of a "long gaunt head capped by a shock of hair that seemed not to have been thoroughly brushed out", clothes that did not fit, a piercing voice, and a conversational technique consisting of vulgar anecdotes at which he himself laughs uproariously". Yet with all these characteristics, Abraham Lincoln became the greatest of American Presidents, assassinated for his successful efforts to save the Union and to combat slavery.

Not the least of the merits of the brilliant new biography, *Lincoln*, by David Herbert Donald (Jonathan Cape, £30), is that it reminds the reader that Lincoln earned his living, and learnt many of his political skills, through practice as a lawyer in Illinois until his selection as Republican Party candidate in the presidential elections in 1860.

By the time he left for Washington in 1861, Lincoln had appeared before the Illinois Supreme Court in more than 300 cases, as well as travelling the circuit arguing all types of claims, and representing clients in federal courts.

Lincoln's skill was based on personality and judgment. He was "a master of the homespun anecdote to illustrate his point".

Jurors could understand and accept his arguments because, as a reporter noted, they contained "no false glitter, no sickly sentimentalism", and his focused advocacy "forces conviction upon the mind".

For many years Lincoln's firm had no filing system, and he frequently stuck documents and correspondence in his steve pipe hat". Where other lawyers would object to the admissibility of an unimportant piece of evidence, Lincoln "would say he reckoned it would be fair to let this in". When he did make an objection, on a crucial issue, his argument carried more weight. Hence, as another lawyer observed, anyone "who took Lincoln for a simple-minded man would very soon wake up with his back in a ditch".

His reputation was built on integrity. As a lawyer, Lincoln became known as "Honest Abe". In notes for a lecture on the law, written in about 1850, he commented on the "vague popular belief that lawyers are necessarily dishonest". In Lincoln's opinion, a young lawyer should "resolve to be honest at all events; and if, in your own judgment, you cannot be an honest lawyer, resolve to be honest without being a lawyer. Choose some other occupation."

Like all good lawyers, Lincoln appreciated that the role of a legal adviser was to "discourage litigation". As he said in his notes for his law lecture, "persuade your neighbours to compromise whenever you can. Point out to them how the nominal winner is often a real loser — in fees, expenses and waste of time... There will still be business enough." But if clients insisted on litigating, Lincoln would fight their case, fairly, but to the best of his ability. Donald rightly avoids repeating some of the less credible tales in Albert A. Woldman's pioneering 1936 study, *Lawyer Lincoln*, which suggested that Lincoln often turned cases away because of moral qualms about the client.

Donald explains how even a lawyer of Lincoln's skills suffered from the follies of unreasonable clients. After Lincoln won an important case for the Illinois Central Railroad in 1856, he submitted a bill for a fee of \$2,000. The railroad refused to pay. Lincoln then sent in a revised bill for \$5,000, sued his ungrateful client, argued the case himself, and won. Because of Lincoln's exceptional abilities, "the action did not interrupt his amicable relationship with the Illinois Central Railroad, which he continued to represent in numerous subsequent cases".

To a dissatisfied client, Lincoln wrote what many lawyers have said to themselves before and since: "I would now very gladly surrender... the case to anyone you would designate, without charging anything for the much trouble I have already had." Such troubles were minor compared to those faced by Lincoln as President. As he battled to prevent the Union from being torn apart, he was handicapped by incompetent and vain political allies interested only in their own ambitions, impeded by timid generals afraid to move their armies into battle, and distracted by domestic strife and sorrow.

It is ironic that the American President who was most influenced by, and best embodied, the values of legalism was compelled by civil war to suspend the writ of habeas corpus and deny Chief Justice Taney.

The 1863 Gettysburg Address, invoking "a new nation, conceived in liberty, and dedicated to the proposition that all men are created equal", was Lincoln's greatest achievement as an advocate. As Gary Wills argued in *Lincoln at Gettysburg*, Lincoln persuaded Americans to accept a new set of radical values. Most of Donald's inspiring account of Lincoln's life focuses rightly on Lincoln the politician, but no one who wants to understand how Abraham Lincoln created modern America can ignore Lincoln the lawyer.

● The author is a practising barrister and a Fellow of All Souls College, Oxford.

Tradition comes to a head

Kieran Conway on why few Irish barristers want to appear wigless

Down in Dublin's four courts, where the bulk of the Republic's legal business is conducted, barely a couple of dozen of the 980 practising barristers have taken up their new-found opportunity to discard their wigs.

Their reluctance is despite a lead from the Attorney-General, Dermot Leeson, SC, and the chairman of the Irish Bar Council, James Nugent, SC. (The SC stands for Senior Counsel, into which the Republic's King's Counsel were transmuted after independence. In most other respects the Irish Bar has retained its pre-independence traditions.)

The option of removing horsehair wigs came about under the Courts and Court Officers Act, a substantial

measure which promises to transform both the judicial appointment system and the way courts are administered.

The Bill initially proposed outlawing the wearing of wigs, so giving effect to long-standing commitments from all political parties to scrap what are widely seen as imperial trappings.

Instead, the option was

retained after skilful parliamentary manoeuvring by the Bar Council, and a last-minute lobby described by one backbencher as of "awesome" strength.

Faced with certain defeat

on a popular measure, the Bar Council shifted ground

and lobbied instead for wigs to be optional rather than compulsory, portraying the move as a reasonable compromise.

The Justice Minister, Nora Owen, however, held fast. But at the report stage, before a virtually empty House, she accepted a last-minute amendment tabled by the finance spokesman of one opposition party, Michael McDowell, and supported by the defence spokesman of the other, David Andrews.

Their respective colleagues, the justice spokesman who had made all the running on the Bill and forcefully supported a wigs ban stayed silent. Messrs

Desire a written instruction from the Chief Justice against any judicial comment on the issue, few barristers seem ready to take a chance. Although many originally spoke out against wigs, few have yet been brave enough to cast them aside.

Despite a written instruction

from the Chief Justice against any judicial comment on the issue, few barristers seem ready to take a chance. Although many originally spoke out against wigs, few have yet been brave enough to cast them aside.

ANYONE who doubted the bravery of Sir Richard Scott when taking on the arms-to-Iraq inquiry just had to look in November 1990's issue of *Horse & Hound*.

A renowned hunting man, Sir Richard is joint master of the Mid-Surrey Farmers' Draghounds with Mr Justice Cazalet.

The latter had penned a poem in praise of Sir Richard's bravery in jumping the notorious Pug's Hole, a 6ft hedge with a 7ft drop on the other side, concluding: "There are Scotts who are tamed in history/There's the Scott who found the Pug's Hole/But this judge they'll all remember/as the Scott who rode Pug's Hole."

Mr Gaskell wants the Bar to put up its own candidates, of between five and 15 years' call, for the course. "It is a student test but it is taken by established practitioners who are removed from their student days," he says.

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STUART & FRANCIS

Society qualification test for Higher Court Advocacy is

Christopher Gaskell, a partner at the Crewe firm of Keith Cutler & Co, has been riled by the reported comments of the Bar Council vice-chairman Robert Owen, QC, that poor test results appear to bear out the Bar's contention that "advocacy is best conducted by full-time advocates".

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SCRIVENOR

STUART & FRANCIS

PPS for Lord Mackay

THE Lord Chancellor has appointed a parliamentary private secretary — Peter Luff, MP for Worcester and campaigner against teenage sex magazines.

The move comes after Lord Mackay of Clashfern was forced to back down by a group of MPs over his domestic violence proposals — some MPs argued that he needed someone to be his "eyes and ears" in the Commons.

Luff, and Jonathan Evans MP, the new junior minister in the Lord Chancellor's Department, provide a team which it is hoped will bring the department — traditionally

seen as a bit of an oddity — more into the Whitehall mainstream.

● THE LONDON firm of Berwin Leighton is closing its New York office at the end of the month. Opened in 1982, the office practised American law but has turned into a loss-making proposition. Most of the staff have already found other jobs.

Advocate test

A SENIOR solicitor advocate has challenged established barristers to see for themselves how difficult the Law

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Advocate test

TIMES/ONE ESSEX COURT LAW AWARDS

An English graduate now reading law at Nottingham University is the winner of the first prize of £3,000 in the *Times* Law Awards 1995 competition sponsored by One Essex Court at the Old Hall, Lincoln's Inn.

Renuka Kukanesen, 23, the niece of a Singaporean High Court judge, is in her second year of an LLB course and plans to go to the Bar. "I would like to become a barrister — I have family who are lawyers and also I have strong respect for the traditions at the Bar. It is a very good thing — any fine-tuning should not mean you have to change it fundamentally."

Ms Kukanesen, who read English at Oxford before embarking on law, said she was encouraged in her career by her father, an assistant registrar in the industrial courts in Kuala Lumpur.

Her winning essay, *Advocacy — has it a future?* is published below. She and the other prize-

winners received their awards from the Lord Chancellor, Lord Mackay of Clashfern, at a dinner at the Old Hall, Lincoln's Inn.

The second prize of £2,000 went to James Nicholls, a mature student at the University of North London, and the third prize of £1,000 to Christopher Daniels, of Trinity Hall, Cambridge. The runners-up, who received £250 each, were Philip Daniels, Jasbir Dhillon and Daniel Raglan.

The sponsorship of the competition by a set of chambers instead of a law firm is a first. Anthony Grabiner, QC, head of the chambers, said he was delighted to support the awards, which encouraged young people into the profession and "perhaps to become successful, efficient and courageous advocates".

The chambers announced it would be sponsoring the awards next year.



Winner Renuka Kukanesen is presented with the first prize of £3,000 by Lord Mackay of Clashfern

Advocacy — has it a future?

In her award-winning essay, **Renuka Kukanesen says we must not sacrifice advocacy in the name of efficiency**

Advocacy, the *raison d'être* of the barrister's trade, is dying. Opinions vary as to whether it is inevitable. Some see the profession inevitably swallowed up and lost within the newly swollen boundaries of the solicitor's trade. Others think that it is the prolific numbers of lawyers that have swamped the profession in recent years.

The actual answer, as I see it, is quite absurd. In the words of the immaculate Desdemona: "Nobody, I myself." It was the lawyers themselves who were unwittingly responsible when, in the 1960s, they introduced that modern Trojan Horse, the photocopier, into their private chambers. Instantly, there was no longer a compelling reason to pore over trial documents down to the relevant. Reams of potential documents issued forth. That chief organ of practicable advocacy, the short and succinct trial, was almost entirely destroyed. Where even a long trial was once a matter of weeks, the longest now lasts over a year. This is undoubtedly the crux of the matter. Barristers in court (like solicitors outside it) are taking too long about their business. Neither private client nor Crown can realistically afford to go to trial any more. And it follows that if there are no paying clients, there is nobody for whom to advocate and thus no legal profession.

I am astonished, nonetheless, that rather than stage a rescue, some of the high deities of the legal profession have thought fit to sound the death knell for old-school advocacy. Among the highest is Lord Woolf. Rather than limiting proposals to curtailing courtroom time for barristers, his report appears to attack the fundamentals of the adversarial system itself. In place of independent parties presenting their arguments and evidence to a neutral referee the report proposes the Judge-Manager. This apparently benevolent creature will transform the legal system by telling the parties what to do.

Nonetheless, the report's somewhat Dickensian metaphors are darkly suggestive. The new judge is not entirely unlike a prison warden, and lawyers, captives who have lost their "sole and unfettered control over the way in which the case proceeds". The justification for this new judicial stance comes partly from a resonant image of Lord Devlin's without draconian change, lawyers might find themselves on a bread-and-water diet — not unlike that of some of their more unfortunate clients. Lord Woolf, it seems, has tried the

lawyers and found them guilty of killing the proverbial goose.

If advocacy is choking on the inefficiency bone, is the only remedy hanging the dog? There is the scent of a parallel mood across the Atlantic. Leading academics in a bellicent, post-Simpson America appear to believe that adversarialism has had its day. As the trial dragged on, it was no longer O.J. Simpson but American justice itself that was on trial. And the verdict was against advocacy. Whether or not the accused had clean hands at the end of the day, his lawyers most certainly did not. "Money talks, client walks" was John Langfield's bitter comment in *Newsweek*. If adversarialism has failed the cause of justice, Europe's inquisitorial judges are logically the only way left to proceed.

The American experience should not be allowed to determine the future of advocacy in this country.

Their predicament is perhaps more dire than ours. The Simpson defence found themselves constrained by very little in their efforts to deflect some deeply damning evidence away from their client. British advocates, on the other hand, might thoroughly lack efficiency, but not integrity. Or finesse.

In the hands of the Simpson defence, the sword of justice was brandished with all the subtlety of a sledge-hammer. Its use was apparently confined to bludgeoning the jury into submission. I like to think that our advocates are cut from a finer cloth.

We have been brought up with a sense of almost priestly detachment — our first duty is to the established process of justice, and this is drummed into us by the example as well as the words of our elders. Winning a case is not what it's about, our duty is to struggle for a fair trial within the confines of the system — a system defined by centuries of tradition and mannered politeness. The Americans do not have these advantages and restraints." (Keith Evans)

The tradition of adversarialism in this country has proven itself capable of producing independent and principled warriors in the cause of justice. Their most profound defects are no worse than that they are less than efficient (and perhaps tend not to be overly modest). In

truth independent advocates are the finest guarantee against oppression by the State that a legal system can produce. When citizens of this country are not protected by a Bill of Rights, reformers should be slow to recommend a European trial system where judges have significant control over both the conduct and outcome of the trial.

By wresting "sole and unfettered" control of the trial process from these agents, the scope of natural justice as we know it would be drastically curtailed.

The archetypal old-style advocate is a creature worthy of aspiration: the judicial lapdog which threatens to take its place is not.

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LEGAL NEWS ROUND-UP

Student shortfall warning

SIGNS OF a fall in the numbers of students wanting to go into law have prompted predictions from the Law Society of a shortage of suitable candidates by 1997.

Despite the massive surplus of students seeking training places with law firms in recent years, there is now a fall in the numbers entering the Legal Practice Course — the one-year vocational course after a degree. At the same time, more training contracts with firms have come

will spar tonight with top legal figures, including Lord Woolf, Peter Goldsmith, QC, a former Bar chairman, and David McIntosh, a senior partner of the City law firm of Davies Arnold Cooper.

The latter firm has organised a seminar at the Law Society on a subject near to the profession's heart — legal costs. Mr McIntosh intends to use the occasion for another blast at what he calls "the lack of a value for money culture in legal services. He will also launch the firm's new protocol on client fees and expenses, which is aimed at introducing more "accountability" into lawyers' bills.

Lloyd's lease

THE RECENT sale of the Lloyd's building to the German fund Despa for £180 million is thought to be the first big sale and leaseback (it will be leased back to Lloyd's at current market levels) since the Landlord and Tenant (Covenants) Act 1995 came into force.

Jeremy Brooks, at the law firm of Walton & Morse, which led the legal team for Lloyd's, says: "Many speculated that sale and leasebacks would be a victim of the new legislation but this deal shows that this is not so where a high-quality tenant and product is involved."

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Court of Appeal

Law Report February 27 1996

Court of Appeal

Duty to house EU nationals

Regina v Westminster City Council, Ex parte Castelli
Regina v Same, Ex parte Tristán-García

Before Lord Justice Staughton, Lord Justice Evans and Lord Justice Swinton Thomas
 Judgment February 21

European Union nationals who entered the UK lawfully and whose circumstances had changed so that they could no longer be required to leave the country, but who had not overstayed a limited leave to remain nor been told that the Home Secretary had decided that they should be removed, were persons to whom a local authority owed duties under sections 62 and 63 of the Housing Act 1985.

The Court of Appeal so held in a reserved judgment allowing appeals by Mr Gaudenzo Castelli and Mr José Tristán-García against the decision of Mr Roger Hemsley QC, sitting as a deputy High Court judge (*The Times* October 20, 1995), upholding Westminster City Council's refusal to provide them with temporary accommodation on the ground that they were unlawfully present in the UK and, therefore, not persons to whom any duty was owed under section 63.

The appellants, an Italian and a Spaniard, entered the UK lawfully as they were looking for work or self-employment but they then became ill and were unable to support themselves.

Mr Nicholas Blake, QC, and Mr Ian Luba for the appellants; Mr John McDonnell, QC and Mr Clive Hugh Jones for the council.

LORD JUSTICE EVANS said that section 63 of the 1985 Act imposed an interim duty on local housing authorities to provide temporary accommodation for an applicant whom they had reason to believe might be homeless and have a priority need, pending their decision on his application for housing on the ground of homelessness under section 62. The applicant in section 63 was the "person" who had made the application under section 62.

There was no express restriction in the Act on the kinds or categories of persons who might apply. However, no duty was owed under the Act to a person who was an illegal entrant to the UK or who had overstayed the period for which he was granted leave to enter: see *R v Hillingdon London Borough Council, Ex parte Screening* ([1980] 1 WLR 1425, 1434).

Those who entered the UK without leave or in breach of a deportation order, or who overstayed after a limited leave was given, and who did so knowingly, committed a criminal offence under section 24 of the Immigration Act 1971.

Neither of the appellants had committed any offence. The issue

was whether they belonged to some wider category of persons to whom no such duty was owed by the council. The category could be those who were not lawfully here". [In *Ex parte Streeting* Lord Justice Dunn had said (at p437): "The only limitation to the word 'person' is that he should be a person who is lawfully here".]

European Union nationals did not need to enter and remain in the UK for specified purposes under Community law. The Immigration (European Economic Area) Order (SI 1995 No 1895) created a right of residence for a "qualified person" ... for as long as he remains a qualified person" and provided measures whereby those who ceased to be qualified persons could be brought within the procedures and appeals machinery of the 1971 Act. Such persons, merely by staying on, did not commit a criminal offence.

The appellants entered the UK lawfully but without leave because as they had been seeking employment or self-employment, they had come within the definition of "qualified person" in article 6(1).

The judge had held that the appellants had ceased to be within the definition of "qualified persons" by the time the council's decisions were made.

There was no appeal against that finding. Neither of them had applied for or been granted leave to remain in the UK. But the Home Office was not unaware of their situations.

What was the appellants' status when they had ceased in fact to be qualified persons within the statutory definition, yet they had not entered the country unlawfully and the secretary of state had not decided that they should be removed from the country, as he had power to do?

Should they be regarded as persons who were not lawfully here, and if so, were they, as such, outside the scope of the council's duty towards homeless persons, as the council contended?

Or did section 63 of the 1985 Act extend to all persons except only those who by reason of criminal activity or who were otherwise in breach of the immigration laws had deprived themselves of the right to take advantage of it?

The appellants submitted that in the absence of any express restriction the word "person" had to be given its normal, unqualified meaning.

Those who were unable to apply for accommodation under the Act, such as illegal entrants and overstayers, were prevented from doing so not because the meaning was restricted or subject to an implied limitation, but because they had disqualifying themselves from relying upon the Act, by conduct which had been criminal

or, at least, in breach of the immigration laws.

The council submitted that the qualifying principle was found in section 10 of the 1971 Act. Those who did not have a right of free movement in accordance with the Act to enter the UK or to remain here, if granted leave, then when the leave expired they ceased to have the requisite permission and they were no longer lawfully here. Because their continued presence was unlawful, they ceased to be persons lawfully here, for whose benefit the homelessness provisions of the 1985 Act were

upon the automatic consequences of chance events.

The council submitted that the qualifying principle was found in section 10 of the 1971 Act. Those who did not have a right of free movement in accordance with the Act to enter the UK or to remain here, if granted leave, then when the leave expired they ceased to have the requisite permission and they were no longer lawfully here. Because their continued presence was unlawful, they ceased to be persons lawfully here, for whose benefit the homelessness provisions of the 1985 Act were

upon the automatic consequences of chance events.

The council on the other hand could point to the fact which was accepted by Mr R. Secretary of State for the Environment, Ex parte Tower Hamlets Local Authority Council ([1993] QB 652) that it was only when the person concerned applied for security benefits, or for medical treatment, or for accommodation under the 1985 Act, or the like, that those authorities or the Home Office were likely to become aware of any change in the person's status after he had entered the country.

If he was regarded as "lawfully here" unless and until some further steps were taken by the relevant authority, then he became lawfully resident here under EC law and you should now make arrangements to leave the UK. I should add that if you do not leave the UK on a voluntary basis then, in the present circumstances of your case, we will not take steps to enforce your departure from the UK."

If the council was correct and Mr Tristán-García required permission to remain in the UK, then it was clear that permission was given, albeit in those vague and ambiguous terms. Far from informing him that the secretary of state had decided that he should be removed or that he would be deported under the immigration laws, the letter said that the secretary of state had made a contrary decision.

For that reason alone Mr Tristán-García could not be regarded as not lawfully here when the council decided that he was.

Mr Castelli . . .

In Mr Castelli's case there had been no determination or other expression of view by the Home Office and so it was necessary to consider whether the council had been entitled to decide that because he had ceased to be a qualified person under the immigration rules he was no longer a person for the purposes of sections 62 and 63 of the 1985 Act.

The arguments were nicely balanced and it was appropriate to give some weight to the practical consequences if one or the other was correct.

The appellants were entitled to say that it might be difficult to know precisely when the qualification ceased, particularly if an entrant who was seeking work could be regarded as continuing to do so even during periods of sickness, as he could be a worker if his employment was interrupted for that reason.

More fundamentally, the entrant's status as a lawful resident ought to be determined in accordance with the statutory procedures rather than left to depend

upon the right of individuals when disputes arose.

It was not necessary to regard the individual as "not lawfully here" during the period when those procedures were or could be operated. But it was sufficient for present purposes to hold that a European national who had, or might have, ceased to be a qualified person in fact, but who had not been given or overstayed a limited leave to remain and had not been informed that the secretary of state had decided that he should be removed, did not belong to a category of persons "not lawfully here" who were not to be regarded as "persons" for the purposes of sections 62 and 63.

There was no obligation on such persons under the immigration laws to apply for leave to remain, limited or otherwise, and they could not properly be regarded as being in breach of those laws by reason of their failure to do so.

Lord Justice Staughton and Lord Justice Swinton Thomas gave concurring judgments but said that the standard Home Office letter sent to Mr Tristán-García did not amount to permission to remain in the UK.

Solicitors: Bindman & Partners and Ms Kae Jones, Camden; Mr Colin Wilson, Westminster.

Mulcahy v Ministry of Defence

Before Lord Justice Neill, Lord Justice McCowan and Sir Ian Glidewell
 Judgment February 21

One soldier did not owe to another a duty of care in tort when engaging the enemy in the course of hostilities.

Furthermore, there was no duty on the Ministry of Defence to maintain a safe system of work in battle conditions. Accordingly, a soldier who was injured in battle conditions did not have a cause of action in negligence against the ministry.

The Court of Appeal stated allowing an appeal of the section 10 of the 1947 Act for "the purposes of any warlike operations in the course of hostilities" contained in the section 10 of the 1947 Act. Provision was made, however, for the revival of section 10 in certain circumstances.

Under section 2(2)(b) of the 1987

Proceedings (Armed Forces) Act 1987 was passed to remove the blanket protection of section 10 of the 1947 Act. Provision was made, however, for the revival of section 10 in certain circumstances.

In his Lordship's judgment, the circumstances in which the plaintiff was injured clearly constituted "battle conditions" in the sense contemplated by Lord Reid, Lord Pearce and Lord Upjohn in the *Burma Oil* case. Furthermore, his Lordship considered that an English court should approach the claim in the same way as the High Court of Australia in the *Shaw Savill* case.

In addition it might be helpful if his Lordship stated what his conclusion would be even in the absence of the Australian decisions under section 2(3) an order reviving section 10 of the 1947 Act.

It was true that the secretary of state considered appropriate.

Accordingly, it seemed plain that the secretary of state could have made an order reviving section 10 for the purposes of the Gulf War and have restricted the operation of section 10 to certain specified areas in the Middle East or to certain specified activities. But no order was made under section 2 of the 1987 Act.

It was accepted on behalf of the defendants that there was no direct English authority to support the proposition that no duty of care in tort was owed by one soldier to another when engaging in battle conditions.

Reliance was placed, however, on the decisions of the High Court of Australia in *Shaw Savill*

and Albion Co Ltd v The Commonwealth ([1940] 6 CLR 344) and *Groves v Commonwealth of Australia* ([1982] 150 CLR 113); (b) dicta in *Burma Oil Co Ltd v Lord Advocate* ([1965] AC 75); and (c) cases involving injuries in police officers while engaged on operational duties.

In the present case it was accepted by the defendants that two of those components of a duty of care, proximity and foreseeability of damage, were present.

The issue to be determined was whether it was fair, just and reasonable that a duty of care should be imposed on one soldier in his conduct towards another when engaging the enemy during hostilities. The same question had to be asked in relation to the alleged duty to maintain a safe system of work.

It was plain from the *More Rich* case that in order to decide whether it was fair, just and reasonable to impose a duty of care on one soldier in all the circumstances, including the position and role of the alleged tortfeasor and any relevant policy considerations.

In the absence of legislative guidance the question of policy had to be resolved by the courts.

Was a duty of care to be imposed in battle conditions so as to make one serviceman liable for his negligent act towards another? In his Lordship's opinion there was no basis for extending the scope of the duty so far.

His Lordship would reach the same conclusion on the plaintiff's alternative claim. There was no duty on the defendants in those battle conditions to maintain a safe system of work. His Lordship would strike out the statement of claim and dismiss the action.

Lord Justice McCowan agreed and Sir Ian Glidewell gave a concurring judgment.

Solicitors: Treasury Solicitor; Wilkinson Woodward & Ludlam, Halifax.

No safe system of work at war

Regina v Ministry of Defence

Before Lord Justice Neill, Lord Justice McCowan and Sir Ian Glidewell
 Judgment February 21

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Deportation order quashed through lack of reasons

Regina v Belafaisa

Before Lord Taylor of Gosforth, Lord Chief Justice, Lord Justice Curtis and Mr Justice Gage
 Judgment February 26

Because a judge made a recommendation for deportation against the plaintiff against the defendants was on the basis that the ministry was liable vicariously for the negligence of Sergeant Warren.

Nevertheless, it was necessary to consider the law relating to the liability of the Crown in tort because the relevant legislation and the decided cases might throw light on the questions raised in the appeal and because the plaintiff's alternative claim was a direct claim against the ministry.

Until 1947, actions against the Crown were inhibited by two principles of ancient although doubtful origin. The first was that the King could not be impleaded in his own courts; the second was the principle that the King could do no wrong.

The immunity of the Crown against proceedings in tort was fundamentally changed by section 2 of the Crown Proceedings Act 1947 which, however, contained special provisions relating to the armed forces.

The effect of section 10 of the 1947 Act was to prevent proceedings

offences of attempting to obtain the proceeds of insurance policies by deception, for which he was sentenced to a total of 12 years, reduced on a previous appeal to nine years.

Mr Donald Peter Herbert, signed by the Registrar of Criminal Appeals, for the appellant.

MR JUSTICE GAGE, giving the judgment of the court, said that the sole point of the present appeal was whether the recommendation for deportation was valid.

In 1947, actions against the Crown were inhibited by two principles of ancient although doubtful origin. The first was that the King could not be impleaded in his own courts; the second was the principle that the King could do no wrong.

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THE TIMES
ARTS



■ VISUAL ART 3
... while more evocative jumble is craftily assembled by Mike Nelson at Matt's Gallery



■ TOMORROW
Who should seize power in the concrete bunker? Benedict Nightingale on the National race

Masterpieces from the Doria Pamphilj collection reach London — plus, what it is like to own them; and other shows

Private treasures go public

Before Francis Bacon made him scream in the early 1950s, Pope Innocent X must have seemed a formidable and magnificent figure. When Velázquez painted him 300 years earlier, the sumptuous and incisive result swiftly came to be regarded as a landmark among 17th-century portraits. According to one of Innocent's contemporaries, his face "was the most deformed ever born among men". But Velázquez, while defining the Pope's williness trenchantly enough, transformed him into an epitome of masterful grandeur. Ugliness is not a word that comes to mind when we look at this mesmerising canvas. Velázquez's mercurial brushwork is so beguiling, and *Innocent's expression* so alert, that we cannot help being impressed by the potency of a resplendent grandee.

All the same, Bacon's brutal intervention alerts us to the darker side of Velázquez's portrait. Refusing to see the original painting in Rome, for fear that it might inhibit him, Bacon turned Innocent X into a howling victim. Trapped within a cage-like structure which underlines his helplessness and isolation, the Pope became a searing symbol of humanity abandoned by God. Bacon's successive variations on the theme soon turned his perturbed pontiff into an icon for the age of existential anxiety. The apparent poise of Velázquez's portrait had been challenged, encouraging everyone to search for signs of instability in the original.

Ever since it was painted, Velázquez's canvas has remained in the same family collection. Normally housed in the Doria Pamphilj Gallery in Rome, it — along with other works from this distinguished collection — has now left Italy for the first time. It is an exciting event for anyone who cares about European art. Several paintings show their creators at their peak, and Caravaggio's *Rest during the Flight into Egypt* is unlikely.

Although a youthful work, it already shows his audacity to the full. Breaking free from the subjects' previous depictions, he places in the very centre of his complex design the lissom figure of an angel. A strong afternoon light lands forcibly on his flesh, enhancing the body's voluptuous appeal. Neither his wings nor the swirling linen drapery detracts from the angel's provocative sensuality. He is a radiant intruder, but his violin playing brings comfort to the exhausted Holy Family.

To the left, Joseph gazes in awe at the divine music-maker and holds up the score of a motet written in honour of the Madonna. Just above the angel's slanting bow, the donkey

trains a doting eye on the violinist as well. But Joseph and his animal inhabit a far more shadowy region, where broken stones lie scattered on the ground. It contrasts with the other side of the picture, where plants spring from the earth while the Virgin leans her head on the Christ child and holds him close. Warmed by the same light that bathes the angel, they form the most tender grouping to be found in Caravaggio's work. The autumnal countryside beyond, where burnished trees blaze softly above a river, suggests that Caravaggio could easily have won renown as a consummate landscape painter.

He chose instead to concentrate on a far more shadowy world, where the chiaroscuro eventually becomes so all-enveloping that it obliterates everything except the drama between figures.

Happily, though, the Doria Pamphilj collection also contains Annibale Carracci's interpretation of the flight into Egypt theme. Painted around 1604, only a few years after Caravaggio's version, this utterly harmonious scene subordinates the fleeing figures to the landscape around them. Restraint is the keynote of this measured setting, which had an incalculable influence on the development of ideal landscape painting during the 17th century. But its innovative importance is now hard to appreciate, whereas Caravaggio's risk-taking intensity still generates a real sense of wonder.

All the most outstanding images on view here concentrate on the figure. Raphael's double portrait, possibly of his friends Andrea Navagero and Agostino Bezziano, is a powerful enigmatic work. Perhaps some of its mystery is caused by dirt obscuring the green background and weakening the solidity of both sitters' bodies. But Raphael never painted a more brooding face than the heavily bearded man on the left, staring out at us over his shoulder. He seems reluctant to submit himself to our inspection, and maybe resentful that the privacy of conversation with his friend has been invaded. There is a latent anger in his guarded expression, whereas his companion turns towards us with a far more open attitude.

Clean-shaven and equable, the latter's face is less shadowy. He seems willing to be interrupted, and the patience in his lean features makes the other man look still more defensive and quick-tempered.

If Raphael turns his trenchantly contrasted friends into a dark and conspiratorial drama, Titian treats his violent drama. Titian treats the springboard for a graceful, sensuous masterpiece. Usually entitled *Salome with the Head of Saint John the Baptist*, it is now put forward as Judith with the Head of Holo-



"One of Titian's most captivating female images," *Salome with the Head of Saint John the Baptist*, now in London

fern. But Titian ensures that there is nothing bloodthirsty about the woman holding the decapitated head on a dish. She turns her head away from the bearded trophy, as if wanting to dissociate herself from the butchery.

Whether Judith or Salome, this auburn-tressed beauty is one of Titian's most captivating female images. While tresses cascade down one side of her face, a single ringlet hovers on the other. Titian sets up a similar counterpoint below, covering half her chest with a warm, red robe, while pulling the chemise away from the flesh near by.

At once bountiful and discreet, the woman stares dreamily down in the direction of the dead man's head. But she also seems to be listening to the maid behind, who gazes up at her mistress with a devotion bordering on out-

right infatuation. The ardour flowing between the two women enhances the erotic mood; and Titian introduces unexpected tension in the winged cupid beyond, about to fall from an archway in his apparent eagerness to reach the delectable heroine.

Above all, though, I found myself returning again and again to Velázquez's portrait. Flanked by two Baroque busts of the same sitter, by Algardi and Bernini, this subtle painting presides over the show with effortless authority. First impressions focus on its chromatic splendour. Velázquez has placed the crimson-caped Innocent in a deep red velvet armchair, and swathed the entire background in a smouldering maroon curtain. Partially offset by his white gown, and the letter bearing Velázquez's own name, the redness still saturates the en-

ture painting. The papal cape seems to be wet with its richness, as the artist appears to float his pigment on the surface of the canvas.

Armed with our knowledge of Bacon's versions, however, we cannot help finding disquiet beneath this seductive finery. Why does Innocent clasp the tantalising letter, in a hand tensely at variance with the limp fingers dangling from the chair's other arm? He could almost be daring the artist to reach out and take the document, but the fierce eyes beneath his scowling brow warn against such presumption. They are cunning and suspicious, revealing the vigilance of a man forever plotting his next manoeuvre in the Byzantine complexity of the Vatican.

Innocent was halfway through his papacy when Velázquez painted him, and he

looks like a man embroiled in intrigues. No hint of relaxation can be detected in his features. Wariness prevails, and behind his armchair Velázquez has freely brushed in a tall shadow spreading like a stain across the curtain. It heightens the theatricality inherent in his opulent scene, and at the same time increases the feeling of disquiet. For the shadow lurks beside the pontiff as an unexplained spectre, waiting to ambush him and snuff out all his pomp and shine. Innocent lived for another five years after Velázquez painted him, but death already seems imminent in this deceptively lustorous effigy.

RICHARD CORK

• Masterpieces from the Doria Pamphilj Gallery at the National Gallery, London WC1 (0171-8321) until May 19

Pride of Pope and princes

Despite Italy's great tradition of art collection over many centuries there is only one private collection left that is still open to the public, and that is the Doria Pamphilj gallery in Rome. Little publicised, with something of the air of an undiscovered treasure, it is exceptional for the number of important Old Masters on its walls — most famously, Velázquez's portrait of Pope Innocent X, who founded the collection. It is exceptional also for looking much as it did in the 18th century: tapestries on the walls, chairs covered in Genoese velvet, chandeliers, and mirrors to bring daylight into the four long galleries around the inner courtyard.

When the announcement of the loan of 12 masterpieces to the National Gallery was made last November, a ripple of excitement went through the art world, as well as a great deal of speculation.

Despite almost no major works having left the gallery before it is only because the rooms are currently closed for restoration that the paintings were available, and it was thanks to the family's ties with Britain (the present prince's father is English,

his mother half-Scottish) that London was offered the exhibition.

The National Gallery leapt at the chance, with the caveat that it chose the works, which explains a selection ranging in date from the Raphael *Portrait of Two Men* about 1516 to the two Claude Lorraines of 1650.

The ten paintings and two busts of Pope Innocent X (by Bernini and Algardi) nearly did not make it. It took months of negotiations with the Italian government, and a signed document from the National Gallery undertaking to return the works to Italy, before the authorities were satisfied.

Prince Jonathan Doria Pamphilj, 32, who now has responsibility for his family's collection, half seriously wonders if the special Comitato di Setore, which advises the Minister of Culture, suspected a clandestine sale was going to take place.

If it had, it would have been the sale of the century. The marriage of Pope Innocent's nephew, Camillo Pamphilj, to the redoubtable Donna Olympia added paintings by Raphael and Titian from the great papal Aldobrandini family to the collection. Further dynastic marriages brought further masterpieces — a Sebastiano del Piombo and a Bronzino came from the Genoese Doria family. The collection was added to up until the last century.

Prince Jonathan explains that it is partly due to the papal bull passed by Pope

Innocent in 1651, entailing the collection to the family, that it is still in one piece. On the Unification of Italy in 1870 the government confirmed its descent by primogeniture and its "inalienability", which ties it to its historical site. Being classified as part of the National Patrimony does not, however, mean that the gallery gets any state funding as such. "The family is exonerated from paying tax on the value of the works of art, but while six years ago 100 per cent of the cost of restoration works could be set against gross income for tax purposes, this is now reduced to 20 per cent. The Government is really damaging families like ours by taking away tax incentives."

Despite an annual deficit of £60,000 on keeping the gallery open to the public, Arte Doria Pamphilj Srl, a limited company of which the family are the shareholders, has taken the bold decision to make the gallery a going commercial concern. The prince says the signs are optimistic: "Visitor numbers have risen from 77,000 a year three years ago to 30,000 now, and are on their way to the 50,000 needed for the collection to break even."

In addition, the Ministry of Culture has agreed to pay for essential upgrading of the gallery spaces to bring them into line with EU regulations. Meanwhile, the prince, his sister and her husband plan to bring the gallery even further into the 20th century with a video about the collection, to be shown at the beginning of the gallery tour, and the release of a CD-Rom on the history of the family and its art treasures. Before the gallery re-opens in June they will hang all the pictures according to a detailed document of 1760 which was found in the archives. "The walls will look quite dense, with paintings hung one above the other and, instead of being grouped into schools of painting, as in a museum, the works will be paired, moving successively outwards from the centre of the wall to create a feeling of balance and harmony," he says.

With an acknowledged debt to the National Trust, the emphasis will be on displaying a private house and showing how princely families lived in the 18th century. If that means no central heating or air conditioning, lighting a little dimmer than we are used to, and paintings a little darker, that is how it should be. Prince Jonathan is adamant: "The paintings have been like this for 200 years and they are fine as they are — it is part of the whole experience of going to an old palace."

ISABEL CARLISLE

AROUND THE GALLERIES

Matt's Gallery has been transformed and now has the cold emptiness of a disused garage or workshop packed with scrap and abandoned items. The material placed so carefully, so sculpturally, in the maze of walk-through shelving that stretches from floor to ceiling, retains a sense of utility. Hoses, pipes, tubes of cardboard, carpet strips, lit fluorescent tubes, even paperbacks: these are not quite "junk" as such, and have been cleverly chosen and placed to draw the visitor in. At some point it becomes clear that this mass and maze of material is directing our attention towards something else. By standing deep inside the space on a milk crate it is possible to look up into something like a treehouse or human nest. Inside this sinister den is a big bone, a television with hissing interference, and a ticking clock. This installation by Mike Nelson evokes not only the idea of the child "playing house", but also the sad social outsider, and the cinematic monster.

Matt's Gallery 42-44 Copperfield Road London E3 0B1-983 1771 until March 17

■ A joint exhibition of work by two established artists, who



Mike Nelson's intriguing installation at Matt's Gallery

also happen to be friends, brings some particularly rigorous work to the Annelly Juda Gallery. Subtly graded white reliefs and intensely pleasing pencil drawings by Alan Reynolds match the modernist design of the space. Two sets of work by Malcolm Hughes — one with diffuse colour suspended over planes in relief, the other with small intense rectangles of dense colour on only one section of otherwise white constructed surfaces — are both based on numerical systems. The work of these two artists has evolved in a concentrated and considered fashion over decades. Although its origin lies, roughly speaking, in the rigour of early constructivist theory, the actual experience of the work has a consoling delicacy and sensitivity that counters any theoretical coldness.

Annelly Juda Fine Art, 23 Dering Street London W1 (0171-629 7578) to March 23

■ Damien Duffy and Padraig Timoney make very different work from each other, and yet the absence of identifying labels in their joint exhibition implies that they share a singular project. The underground gallery space is closely hung with paintings: one group uses layers of white

overhanging with the strange, thinly veiled images. At the back, a couple of studies of heads emerge like faint reminders of Renaissance painting, while the image of a surgery with doctors in long white coats struggle to the surface in a painting by the entrance. Large torsos are stuck at slight angles like details from faceless monuments. The references stray too often into familiar "classical" territory to achieve the awkwardness that the artist probably desires.

Harriet Green Gallery, 5 Silver Place, London W1 (0171-287 8328) until March 23

SACHA CRADDOCK

Echoes in an old workplace

Georg Herold has turned wire and planks into an elegiac memento

of Halifax's industrial heritage

electrical wire wrapped around each pillar. The room is otherwise bare and about a third of the size of a football pitch, so that the visitor's footsteps echo round the cavernous space, heightening the sense of an abandoned workplace and vanished workforce.

Down one side, a line of clear glass windows runs the length of the room, deeply recessed into the wall. Here Herold has subtly altered the nature of the space, redesigning the window frames and partially barring the windows: the concepts of protection and

These oppositions run through Herold's work. Vernacular elements of Halifax's past are preserved in the buildings of Dean Clough; yet with them, with the buildings' change of use, comes a sense of local loss.

Although abstract in its approach, Herold's latest installation can be seen as his personal view of Halifax, his response to its craggy location at the foot of the Pennines; its industries, and its people.

CHARLOTTE MULLINS

■ Georg Herold is at the Henry Moore Studio, Dean Clough, Halifax (0113 2343158) until March 31



■ FILMS

Berlin winds up its festival with the latest movies from Terry Gilliam and Stephen Frears



■ OPERA

In ENO's revived *Tosca* David Rendall proves to be the very model of a modern Cavaradossi



■ MUSIC 1

György Kurtág's work is explored by the London Sinfonietta in a fascinating weekend festival



■ MUSIC 2

... while Sir Charles Mackerras weighs into masses of Mozart and Bruckner at the Barbican

The good win over the ugly

Sometimes it was hard to enjoy the 46th Berlin International Film Festival. Freezing temperatures. Snow underfoot. Shoes that let in water. And then to cap it all, *Mary Reilly*, a film offering all the joy of a two-hour incarceration in a charnel house. There were so many misconceptions lurking inside Stephen Frears and Christopher Hampton's gloomy variation on the Jekyll and Hyde theme, based on Valerie Martin's novel. How could Julia Roberts' Irish maid never spot that an unshaven John Malkovich with long hair was the same chap as John Malkovich with short greying locks and a beard? And how could the collaborators of *Dangerous Liaisons* devise a film so boring and self-important?

Last year's festival unleashed such a barrage of criticism that Moritz de Hadeln, major-domo of the official selection, felt obliged to point out that the festival does not produce the films it presents; it simply chooses from what is on offer. This year the selection was far more even in quality, and *Sense and Sensibility* was an obvious contendee for the top prize from the very first day. The jury played a bizarre trick, however, in anointing Anouk Grinberg best actress for her role in *Mon Homme*, for her monotonous display of gamine charm did little to help audiences through Bertrand Blier's banal assault on sexual habits and bourgeois conventions.

The best French film in Berlin, in fact, was not in competition at all. *La Fileuse* is a film by Benoit Jacquot, his eighth (British cinema-goers have seen only his second, *Les Enfants du placard*). The situation is beautifully simple. On the day she starts work as a hotel chamber-

maid, Valérie tells her boyfriend she is pregnant. They agree to meet in an hour to talk further: an hour spent with the camera following Valérie around the corridors as she confronts the sexual oddities of staff and guests, phones her mother and steels herself for the future. Apart from explaining why room-service breakfasts take an age being delivered, the film glorifies in the rhythms and resonances of daily life, and reveals a haunting new French actress, Virginie Ledoyen, whose face holds you captive.

At other times in Berlin, delights crept up to make the days pass pleasantly. Another French film, Chris Marker's *La Jetée*, appeared as a ghostly presence in two competition entries. Marker's science-fiction short of 1962 describes through black-and-white still images one man's journey back in time to save civilization from disaster. Black-and-white stills also appear in *What I Have Written*, a striking first feature from John Hughes, an Australian director. The written material is a novella, which explores an extra-marital affair begun by the author in Paris. This is news to his wife, and it hits her especially hard because her husband is now in a coma after a stroke. Hughes, previously a documentary maker, shifts visual styles; the result is a powerful portrait of be-

trayal, sexual power and the lure of fiction.

Then Terry Gilliam arrived with *Twelve Monkeys*, which uses Marker's short as a springboard for a two-hour-plus fantasia laden with special effects and Bruce Willis. Gilliam's vision of a grungy future lived underground and the caperings of the "Army of the Twelve Monkeys", a terrorist group led by a warped Brad Pitt, initially grab the attention. But the curse of overkill reduces the film to the cinema equivalent of black-treacle pudding.

Not for the first time, the best delight in the competition section came from left of field. Andrzej Wajda's *Holy Week*, like most of his films since the early 1980s, showed a great director running out of steam: his drama about the Warsaw ghetto had the muted impact of a good TV movie.

For signs of new life, you turned to Yoichi Higashi, a Japanese director unknown in the West, whose *Village of Dreams*, unspoiled on Sunday, left everyone wreathed in smiles. The film explores the rural childhood of real-life identical twins, Seizo and Yukihiko Tashima (now successful picture-book artists in their fifties). This could have been a footloose exercise in nostalgia, but Higashi stops the rot by playing up the magical connections between the twins and the natural world (fish especially), and drawing a sly portrait of post-war Japanese society in embryo. No film in Berlin be-guiled so easily, or showed such fresh imagination; the jury awarded it a Silver Bear for "an outstanding single achievement".

Established directors tackling worthy topics were continually upstaged by relative newcomers. Aside from Wajda's Warsaw ghetto tale, shifting visual styles; the result is a powerful portrait of be-

trayal, sexual power and the lure of fiction.

The Nasty Girl, the director Michael Verhoeven weighed in with *Mother's Courage*. The plot was touching enough: the mother (Pauline Collins) is the mother of the Hungarian writer George Tabori, and her courage saves her from the Nazi death camps. But you never inhabited the story and its times.

Yet in *A Single Spark*, Korea's competition entry, Park Kwang-su effortlessly escoted us to 1970 to watch the travails of Jeon Tae-il, a garment worker who led a protest against factory conditions and died in flames as a martyr. If Jeon were portrayed as a strapping people's hero, the film would probably have been doomed; but Hong Kyoung-in's portrayal is so



Twelve Monkeys, Terry Gilliam's vision of a grungy future lived underground, is a fantasia laden with special effects ... and Bruce Willis

THIS YEAR'S BERLIN PRIZEWINNERS

Best Film (Golden Bear)	<i>Sense and Sensibility</i>
Special Jury Prize (Silver Bear)	<i>All Things Fair</i>
Best Director (Silver Bear)	Yim Ho (<i>The Sun Has Ears</i>) and Richard Loncraine (<i>Richard III</i>)
Best Actor (Silver Bear)	Sean Penn (<i>Dead Man Walking</i>)
Best Actress (Silver Bear)	Anouk Grinberg (<i>Mon Homme</i>)

et, a lavish, funny and carefully researched investigation into Hollywood's treatment of gays down the decades.

There was also *Bve. Bye America!*, the last, uncompleted film of Alexander Dovzhenko, the great Russian master, which received its world premiere 40 years after Stalin stopped the production in its tracks. This was the festival's oddest exhibit. You looked in vain for the lyrical poem of the silent classic *EARTH* in these starchy scenes of nefarious doings in America's Moscow embassy. But there was pleasure in the Cold War caricatures, the garish colour, and the meticulous way the film was reconstructed from the unfinished footage and Dovzhenko's script.

OPERA

One man show

Tosca
Coliseum

DAVID RENDALL's Cavaradossi has been the most constant element in Keith Warner's staging of *Tosca*, first seen two years ago. And he is the main reason to catch this revival. Rendall rides above a production quirky to the point of irritation, providing a credible hero who, like Tosca, opts for art and love.

Cavaradossi the revolutionary is played down. His tenor is in excellent trim, the voice glowing with health. The cries of victory of Act II ring out with brilliance, and the volume is trimmed down to a soft, lyrical line as Cavaradossi marvels that Tosca's soft hands are capable of manslaughter.

Would that he had worthy support. Janice Cairns as Tosca is new to the production, but not to the part. She has no fear of pulling out the emotional stops, with even some roly-poly in front of the Madonna. Odd from a lady of piety. But the voice was poorly focused, especially during rare attempts at soft singing.

Not is it possible to be enthusiastic about the new Scarpia, Philip Joll. The performance is all bluster and no menace. That is not how Scarpia became top dog in the Rome police force. Joll, a sturdy baritone in German opera, was often unhappy with Puccini's vocal line. The Gobbi claimed that *Tosca* was really about Scarpia and it mattered not that he was dead by the end of Act II. Once this Scarpia dies he fades completely.

Keith Warner has a mania for illustrating everything: Angelotti's escape from prison, Cavaradossi's torture, the shepherd boy's song. Tosca's death or what looked more like an airport runway than the battlements of the Castel Sant'Angelo is ludicrous, compounded by a figure dangling from a proscenium arch. Alex Ingram conducted a noisy performance.

JOHN HIGGINS

Hungarian rhapsody

Kurtág Festival South Bank

György Kurtág is without doubt one of the most distinguished composers alive today, but performances of his music here remain infrequent enough for each to be an occasion. The London Sinfonietta's "Kurtág at 70" celebrated at the South Bank last weekend was thus a very big occasion. Noted Kurtág interpreters from far afield joined the Sinfonietta for a programme centred on four concerts. Alas, due to illness neither the composer nor his wife were able to participate.

Kurtág's masterpiece indeed one of the masterpieces of the last two decades, but then he was already, in his forties when he discovered himself as a composer, during a year of studies in Paris. He traces his style back to his Hungarian roots and wider musical traditions — "My mother tongue is Bartók and Bartók's mother tongue was Beethoven".

Kurtág's music is utterly individual, and the intensely personal nature of his works must make the attention he now receives at once gratifying and hard to bear.

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CHOICE 1
Philip Schofield
is back in his
Technicolor
dreamcoat

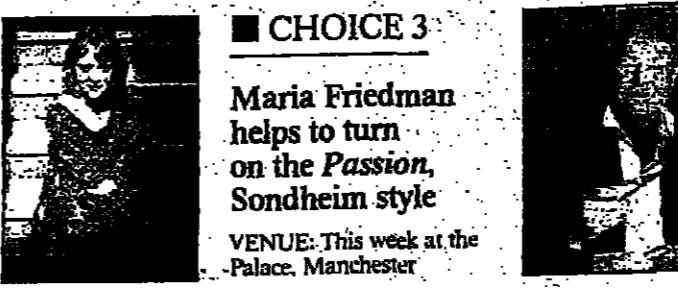
VENUE: Opens tonight
at Laban's Apollo



CHOICE 2
Felicity Kendal
brings a Georges
Feydeau farce
to Leatherhead

VENUE: From tonight
at the Thorndike

THE TIMES ARTS



CHOICE 3
Maria Friedman
helps to turn
on the *Passion*,
Sondheim style

VENUE: This week at the
Palace, Manchester

LONDON
PRESIDENT LAUGHTER Opening night for Peter Bowles in Noel Coward's overwrought, off-piste of a one-act burlesque by deviants and living legends of British comedy. *President Laughter* and *Desecrate Grant* 20-21.
Aldeburgh, The Aldeburgh WC2 0171-372 3367; Tonight, 7pm; Then Mon-Sat, mat. Thurs, 8pm and Sat, 4pm.

JOSEPH AND THE AMAZING TECHNICOLOR DREAMCOAT Opened at the Royal Opera House, Covent Garden, last week to a mixed reception from the first Lloyd Webber Rice creation.

Laban's Apollo, Croydon, Croydon CR0 2LS; 7pm, Fri, Sat, Sun, 7.30pm mat. Thurs, 8pm and Sat, 4pm.

WEST SIDE STORY Storytellers. *West Side Story* opens a new season with Bernstein and Sondheim's popular musical at the New London 1950s. No, York, London's only chamber opera house, currently boasts an open stage well suited to this kind of musical theatre. Storytellers' production provides a due for later this year. Performed by the Stock Exchange Dramatic and Operatic Society, Spitalfields, London EC2A 7LP; 7pm, Sat, 2pm, E1 0171-537 5569; Then Sat, 7.30pm mat. Sat and Sun, 3pm.

THE CHANGING ROOM David Storey's laconic play about a rugby coach's team searching for their identity continues in the season's only variety show at the Royal Court, Clapham.

Duke of York's, Martin's Lane, WC2 0171-838 6120; Mon-Sat, 7.30pm mat. Thurs, 8pm and Sat, 4pm.

CHAMPS Two-time Oscar and Golden Globe奖得主，Helen Mirren, 穿着运动服，向彼此靠近，亲吻。Comedy, 2000, Chancery Avenue, W1 0171-934 0056; Mon-Fri, 8pm Sat, 2.15pm mat. Thurs 8pm, Sat 5pm.

COMMUNICATING DOORS Angela Thorne in Ayckbourn's ingenious time-travel play, *Meeting in a moment*, returns to the doors of the Royal Exchange, Manchester, 1996, 2000, 2001, 2002, 2003, 2004, 2005, 2006, 2007, 2008, 2009, 2010, 2011, 2012, 2013, 2014, 2015, 2016, 2017, 2018, 2019, 2020, 2021, 2022, 2023, 2024, 2025, 2026, 2027, 2028, 2029, 2030, 2031, 2032, 2033, 2034, 2035, 2036, 2037, 2038, 2039, 2040, 2041, 2042, 2043, 2044, 2045, 2046, 2047, 2048, 2049, 2050, 2051, 2052, 2053, 2054, 2055, 2056, 2057, 2058, 2059, 2060, 2061, 2062, 2063, 2064, 2065, 2066, 2067, 2068, 2069, 2070, 2071, 2072, 2073, 2074, 2075, 2076, 2077, 2078, 2079, 2080, 2081, 2082, 2083, 2084, 2085, 2086, 2087, 2088, 2089, 2090, 2091, 2092, 2093, 2094, 2095, 2096, 2097, 2098, 2099, 2010, 2011, 2012, 2013, 2014, 2015, 2016, 2017, 2018, 2019, 2020, 2021, 2022, 2023, 2024, 2025, 2026, 2027, 2028, 2029, 2030, 2031, 2032, 2033, 2034, 2035, 2036, 2037, 2038, 2039, 2040, 2041, 2042, 2043, 2044, 2045, 2046, 2047, 2048, 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Recovery from injury raises hopes of Dubai challenge

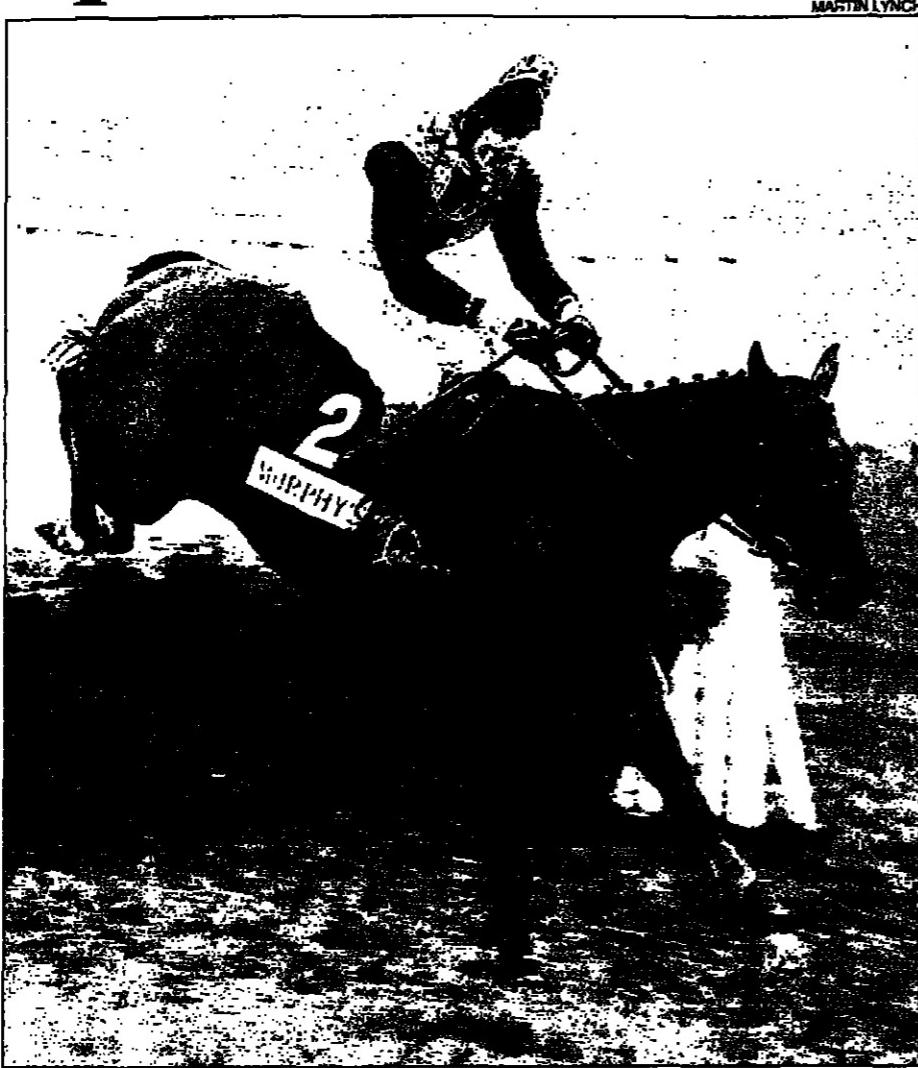
Cigar puts best foot forward

By RICHARD EVANS, RACING JOURNALIST OF THE YEAR

THE best horse in the world is almost certain to line up next month for the richest race in the world. After suffering a recent foot injury which threatened his participation in the Dubai World Cup, Cigar should resume training later this week and is all set to fly from the United States on March 16 for the \$4 million event.

Cigar, unbeaten in his last 13 starts, including the Breeders' Cup Classic in New York last October, was discovered a week ago to have injured a foot after treading on a stone and the six-year-old's Dubai plans were thrown into doubt.

However, Bill Mott, the trainer of the remarkable six-



RICHARD EVANS

Nap: SHARP 'N SMART (4.0 Lingfield Park)
Next best: Richardson (3.40 Leicester)

year-old, yesterday provided the most upbeat assessment so far about the horse's recovery. Speaking from Gulfstream Park, in Florida, he said: "We are optimistic about everything now. We feel the extent of the abscess is what we originally saw. We have been waiting for a few days to make sure nothing else surfaced and it appears as though what we saw when we drained the abscess is the extent of the injury."

"We are just waiting for the area of the hoof to toughen up so we can get a shoe back on him and get him back to the track. We hope that will happen by the end of this week."

Mott said "mother nature" was mainly responsible for Cigar's speedy recovery and, all being well, the interruption to his routine would not affect

the preparation for the first running of the Dubai World Cup.

"We are hopeful that it is not going to hinder us too much. We have got another month before that and we hope to be rolling by the end of March."

The injury will force Cigar to miss the Santa Anita Handicap on Saturday, and an attempt at a \$2 million bonus for winning three top

early-season races, but the slight setback may prove to be a blessing in disguise as he is prepared for the ten-furlong race at Nad Al Sheba racecourse on March 27.

Pentire, the progressive middle-distance colt trained by Geoff Wragg, has been in Dubai for a fortnight preparing for the race while Pennekamp, the other European representative, is back

on course after suffering an inflamed splint, which will prevent last season's 2,000 Guineas winner having a prep race.

Halling, who was thrashed by Cigar at Belmont Park, and Annus Mirabilis are set to race in Dubai on Sunday. Cezanne and Moonshell, the other Dubai runners, have already had one racecourse outing earlier this month.

YESTERDAY'S RESULTS

Plumpton

Goring soft 2.00 4f 1st 1. Andie Mold (4.0) Lower, 7-3, 1st. 2.10 4f 1st 1. Nap: Sharp 'n Smart (4.0) Lower, 7-3, 1st. 2.20 4f 1st 1. Nap: Mr. P. (4.0) Lower, 7-3, 1st. 2.30 4f 1st 1. Nap: Mr. P. (4.0) Lower, 7-3, 1st. 2.40 4f 1st 1. Nap: Mr. P. (4.0) Lower, 7-3, 1st. 2.50 4f 1st 1. Nap: Mr. P. (4.0) Lower, 7-3, 1st. 2.60 4f 1st 1. Nap: Mr. P. (4.0) Lower, 7-3, 1st. 2.70 4f 1st 1. Nap: Mr. P. (4.0) Lower, 7-3, 1st. 2.80 4f 1st 1. Nap: Mr. P. (4.0) Lower, 7-3, 1st. 2.90 4f 1st 1. Nap: Mr. P. (4.0) Lower, 7-3, 1st. 2.10 4f 1st 1. Nap: Mr. P. (4.0) Lower, 7-3, 1st. 2.20 4f 1st 1. Nap: Mr. P. (4.0) Lower, 7-3, 1st. 2.30 4f 1st 1. Nap: Mr. P. (4.0) Lower, 7-3, 1st. 2.40 4f 1st 1. Nap: Mr. P. (4.0) Lower, 7-3, 1st. 2.50 4f 1st 1. Nap: Mr. P. (4.0) Lower, 7-3, 1st. 2.60 4f 1st 1. Nap: Mr. P. (4.0) Lower, 7-3, 1st. 2.70 4f 1st 1. Nap: Mr. P. (4.0) Lower, 7-3, 1st. 2.80 4f 1st 1. Nap: Mr. P. (4.0) Lower, 7-3, 1st. 2.90 4f 1st 1. Nap: Mr. P. (4.0) Lower, 7-3, 1st. 2.10 4f 1st 1. Nap: Mr. P. 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Lindsay considers RFL's legal options

By CHRISTOPHER IRVINE

THE Rugby Football League (RFL) is prepared to enter the court battle over the sport's future in Australia, in order to save the world championship play-offs and Great Britain's tour of Australasia at the end of the first European Super League season.

The exact course it can pursue is unclear, but Maurice Lindsay, the RFL chief executive, said: "If the judgement [on Super League] in Australia in any way affects the RFL and international competition, we have instructed our international lawyers to protect our interests and take whatever legal action is necessary."

Although the European arm of Super League is unaffected by the ruling, in a Sydney federal court last Friday, that deemed Super League in Australia unlawful, the loss of international tours and lucrative play-offs between the leading eight sides from

Europe and Australia is regarded as an unacceptable price.

Lindsay is returning from Sydney today to conduct an urgent meeting of the RFL board. It will discuss legal options after Super League's defeat in court by the Australian Rugby League (ARL), which has sought a temporary injunction to prevent the ten-team breakaway competition kicking off on Friday.

After a 24-hour adjournment, Justice James Burchett, who, in a judgment last week, had ordered the eight clubs that had defected to Super League to return to the ARL, will decide today on an interim injunction sought by the ARL, which seeks to prevent the breakaway league starting during the appeal procedure. Super League has also lodged an appeal against his initial ruling.

Super League officials conceded that, should the injunction be granted, a halt to the new league would be called. In that case, the ARL would have three days to get the eight clubs back into the establishment fold in time for its season. As Mr Justice Burchett delayed his pronouncement on detailed orders that the ARL wants imposed on Super League, pending further legal argument next week, a possible compromise is also on hold.

By his own choice, one player not involved in the European Super League, which launches in Paris next month, is Gary Schofield, the former Great Britain captain, 30, left Leeds yesterday, after a distinguished career, in a £135,000 transfer to Huddersfield, of the first division, as player-assistant coach.

A four-year deal with Huddersfield — Leeds had balked at his request for a three-year contract extension — was partly the incentive. "I've been interested in coaching for some time and this secures my future," Schofield said.

"Some people may be angry and say that I'm dropping down a division, but Huddersfield are very ambitious and their coach, Darryl van de Velde, is full of ideas."

Huddersfield have the finest facilities in the sport at the McAlpine Stadium. Significant financial input from Ken Davy, a local businessman, has helped with the deal for Schofield, which could be followed by others for Lee Crooks and Graham Steadman, of Castleford.

Schofield is the fourth senior Leeds player to depart in two months, after

the moves of Paul Cook and James Lowes to Bradford, and Craig Innes, in controversial circumstances, to Manly-Warringah, the ARL club, leaving playing resources at Headingley stretched to the limit.

Dewsbury, recently criticised by Lindsay as the game's worst-run club after running up a six-figure debt, have dismissed Tony Fisher, the coach, and Ken Davies, the chief executive, as cost-cutting measures.

Leeds, who have beaten Bradford in successive years to reach the past two finals in the Silk Cut Challenge Cup, will be reacquainted with their West Yorkshire rivals in the second of the semi-finals on March 23. Bradford's last Wembley appearance was 23 years ago. St Helens, narrow favourites to win the competition for the first time in 20 years, meet Widnes, the only first division survivors, on March 9.

SEM-FINAL DRAW: Bradford v Leeds (March 23); St Helens v Widnes (March 9). Venues to be announced.

A question of funny business

The Board Game. Radio 4. 6.30pm.

You do not need to be able to tell bull from boar to find something amusing in this panel game played by big cheeses in, and commentators on, the business world. Not even in the well-regarded City pages of *The Times* will an air hostess learn what to do when a guest complains: "This fish is disgusting!" And, even though the four panelists sound well-informed about boardroom terminology, they do not score many points when asked what a bunny hugger is, or a baby-sit, or the boho syndrome. The panelists, more or less controlled by chairman Nigel Cassidy, do much better when asked to suggest slogans for road-building sponsorship. My favourite is: "Harwich for the Continent. Pamper for the continent."

Timusitis Awareness Week: *In Tune*. Radio 3. 5.15pm.

Because I have suffered from tinnitus for four years, I welcome Radio 3's initiative. It began last Saturday with *Music Matters*, continues today with *In Tune*, and ends on Friday. One in ten people have tinnitus so I will not be the only one to benefit. The number to ring is 0800 033 033. There is a special website. Radio 3 should have launched this social action campaign. It is predominantly a music channel, and an unusual victim will tell you that trying to concentrate on music against a background of non-stop ringing or hissing (and, in my case, both) is sheer agony.

Peter Davalle

Gloucester face tough trip to Bath

By DAVID HANDS, RUGBY CORRESPONDENT

THE prospect of Bath meeting Leicester in the final of rugby union's Pilkington Cup for the third time in seven years grew yesterday when England's two outstanding clubs were kept apart in the semi-final draw made at Twickenham.

Bath, the holders, will play a semi-final at home for the first time. In their nine previous semi-finals, they have always progressed to win and now, at the tenth time of asking, they will be at the Recreation Ground to entertain Gloucester on March 23.

Leicester, cup-winners themselves four times and beaten by Bath in the 1994 final, must travel to London Irish, where they will encounter one of their own — Clive Woodward, the exiles' coach, played centre in the Leicester sides that won the 1980 (against London Irish) and

1981 finals, and lost to Bristol in 1983.

"I wouldn't have minded going away because I want to see what Welford Road looks like these days," Woodward said. "I don't think we could have had a better draw." Ronnie Johnson, the London Irish president, said: "A home game against anyone was what we wanted."

The prospect of the Courage Club Championship extending into mid-May looms large. Bath and Gloucester are due to play a postponed league fixture on March 9, two weeks before their cup encounter, but England have called an international squad meeting for that weekend and Bath are

PILKINGTON CUP DRAW: Semi-final: Bath v Gloucester; London Irish v Leicester (March 23).

SEM-FINAL DRAW: Quarter-finals: Cardiff v Newcastle; Newport & Caerphilly or South Wales Police v Northumbria Institute or Dumfries (March 23).

Answers from page 43

Monarchs switch on to The Fridge

Richard Wetherell
on a big-name,
big-frame signing in
American football

William Perry, aka The Fridge, one of the most recognisable names — and figures — in American football, will be a London Monarch when the World League starts in April. Perry played with Chicago Bears and Philadelphia Eagles in the National Football League (NFL) from 1993 to 1994, and was one of those responsible for increasing the popularity of the sport in this country.

Even though it is ten years since he scored a touchdown in a Super Bowl for the Bears, before coming to London for the first American Bowl, Perry is according to Gareth Moores the Monarchs general manager, still "one of the most recognised NFL players in this country".

Yesterday, introducing himself on video, Perry, 33, said: "In 1986, the fans were great in England, and now it's my chance to give something back by winning the World Bowl and promoting American football."

Gloucester are keen to play

on March 9, but realise that the league leaders will not do so unless their players are released by England. In that event, they anticipate the possibility of completing their league programme on May 11.

Perry, whose career was

dominated as much by talk of

his weight as by his skills as a

defensive lineman, and who has clauses in his contracts

with bonuses for achieving

stipulated weights, apparently

tips the scales at around 25

stone. "I'm sure it [his weight] goes up and down during the year," Moores said.

According to Bobby Ham-

mond, the Monarchs head

coach, who worked with Perry

when he played for the Eag-

les: "He looks as well as he

has looked in years. I think

the weight problem was exag-

gerated. He knows exactly

what his weight needs to be

and I've had a long conversa-

tion with him about that."

Perry is not only playing for

the love of the game and out of

respect for his former colleague. Although his contract is the same as those for the other Americans in the World League — \$12,500 (about £8,100) for the season — he is to receive an additional, unspecified sum for other services rendered. "He has enormous impact potential for us off the field and we do have a separate promotional agreement with William," Moores said. "It's important



Perry's huge presence should give the London Monarchs a boost at the turnstiles

that he is at the forefront of all our marketing efforts, and he can help enormously. It's great for him and it's great he can help to attract a big crowd, but let's not forget our No 1 goal is to do well on the field," Moores said. "Success on the field breeds success off it."

Referring to the slightly more svelte figure who has recently reappeared on the American sporting scene, Perry said: "If Magic Johnson, the basketball player, can come back, so can The Fridge." The Monarchs, and the World League, will be hoping that the crowds will be well.

Answers from page 43

SHOGI

(b) A Japanese board game resembling chess. In 1884, J. J. Ren's *Japan* stated of games: "Among three of which adults of all classes are very fond, the most conspicuous at present are Shogi, or chess, and Go... I fear that now many people would protest at having such mental activity classed as 'entertainment', and instead opt for the television."

SHAUGHRAUN

(a) A wandering, a straying, an error. From the Anglo-Irish word. In 1843, W. Carleton wrote: "His speculation was gone a shaughraun, as he termed it."

UTA

(c) A Japanese poem or song. From *uta* to sing. "Class 4B's attempts to produce a credible *uta* were perhaps slightly less traditional than some of the earliest poems."

TULOACHE

(b) (*Abs tolócsik*). A preparation of a plant of the genus *Datura* used as an intoxicating and hallucinogenic drug. From Mexican *tolo* to how the head + *cic* referential. Ian Fleming mentions the drug in *Von Ryan's Express*. "Addiction to *tolo*, an drink made from *Datura stramonium* causes chronic imbecility."

SOLUTION TO WINNING CHESS MOVE

1... Qxf2+ 2. Qxd5+ (if 2. Rg3 Rxf2+ and 3... Rf1 mate) 2... Rxf2+ 3. Rg3 Rxf2 mate.

Cardiff surrender title hopes

THE TIMES

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SKI CLUB

Cardiff surrender title hopes

Cardiff Devils saw their faint hopes of winning the British ice hockey league premier division title evaporate with their second defeat of the weekend, 4-3 away to Durham Wasps (a Correspondent writes).

After Durham had taken a 2-0 lead in the second period, Cardiff struck back with goals from Ian and Stephen Cooper and then took the lead through Millete. Bidner levelled for Durham and, with less than two minutes remaining, Lambert scored his second goal of the game to secure both points for them.

Durham are now certain to finish third, but a minor miracle would be needed for

Cardiff to win Newcastle an early lead, but that was overturned in the second period by goals from Scott and McCarthy. Morrison brought Newcastle level again, and when Laplante and Simon Leach put Newcastle 4-2 ahead, it looked as if the two points were safe.

However, McCarthy's second goal ensured that Newcastle could not relax, and Milton Keynes were denied an equaliser when the referee ruled that the puck had not completely crossed the line after a goalmouth scramble.

The teams meet again tomorrow night at Newcastle, and Milton Keynes are now one point ahead with both having three games to play,

Monarchs switch on to The Fridge

Answers from page 43

RADIO 1

All times in GMT 5.00am Newsday 5.30
Today 6.00 Newsday 6.30

Evening 6.30 New Ideas 7.50 A Day in the Life 8.15 An Insect 8.30 News 9.10 Words of Faith 9.15 International 9.30 News in Pictures 9.30 Music 9.45 Sports 10.00 The Night Drive 10.00 The Night Shift 10.30 BBC English 10.45 Off the Shelf 11.00 Thirty-Minute Drama 12.00 News 12.30 Business 12.45

British Today 12.55 World News 1.00 Newsbeat 1.00 News 1.30 Outlook 2.00

Music 2.00 News in Germany 2.15 On Screen 3.30 Omnibus 4.00 News in Germany 5.00 Europe Today 4.30 News in Germany 5.30 Business 5.45 Sport 6.00 Newswise 6.30 News in Germany 7.00 Newsbeat 7.30 World News 7.45 Sports 8.00 News 8.30 Environment 8.45 Environment 8.55 Europe 9.00 News 9.15 Business 9.30 Merlin 10.00 Newsday 10.30 World News 11.00 Invitation to the Dance 11.15 Anything But 11.30 Style 11.45 Newsbeat 12.00 Newsbeat 12.30 Newsbeat 12.45 Britain Today 1.00 Newsbeat 1.30 Newsbeat 1.45 Britain Today 1.55 Britain Today 1.55 Newsbeat 1.55 Sports Review 1.55 On Screen 1.55 The Story of Western Music 2.00 Newsday 2.00 Andy Kershaw 3.00

RADIO 2

6.00am Missing Reports 6.00 The Breakfast Programme, incl. 6.55, 7.55 racing preview 6.55 The Magazine, incl. 10.30 Euronews 11.30 Environment

News 12.00 Monday with Mat, incl. 12.30 Morning Business, incl. 1.15 Entertainment News 4.00 John Inverdale 5.45 Entertainment News 7.00 News Extra, incl. 7.20 sports round-up 7.35 The Tuesday Match 10.05 News 7.45 11.45 Night Edition 10.15 11.15 The Four Horsemen 11.30 Night 12.00 Newsbeat 12.30 After Hours 2.05 Up All Night

RADIO 3

6.00am Sunday 7.00 Ken Bruce 7.15 Ed Doden 7.20 Debbie Throver 7.30 Ed Stewart 7.35 Paul Henreid 7.35 Hayes over Britain 8.30 8.50 Klangdok Junction 9.00 Scottish News 10.00 Peter Egan 10.30 The Last Word 10.45 Michael Ball 10.55 Wendy Lloyd, incl. 11.20 See You

RADIO 4

6.00am Sandy Wren 7.00 Simon

AMERICAN FOOTBALL 46

THE FRIDGE THROWS
HIS WEIGHT BEHIND
LONDON MONARCHS

SPORT

TUESDAY FEBRUARY 27 1996

RUGBY UNION 46

BATH STEER CLEAR
OF LEICESTER
IN PILKINGTON CUP

'Once the bandwagon starts and people call for the captain's head, it is hard to stop it'

Atherton faces prospect of losing his job

FROM ALAN LEE, CRICKET CORRESPONDENT, IN RAWALPINDI

THE gathering momentum of defeats and indignities is threatening to unseat Michael Atherton as England cricket captain, less than three months after his greatest triumph. Last night, defiant but realistic, he said that he would be "disappointed but not surprised" if failure in the World Cup cost him his job.

It was a day under siege for Atherton as the Pakistani media belaboured his team's ineptitude and his manners. While one half of the England management issued apologies for his behaviour towards a local journalist and the other half criticised his form and tactics, Atherton kept largely out of sight, playing cards and reading in his hotel room. His place in the team, and his status as captain, had, overnight, become valid subjects of debate and he shirked neither issue.

"I am fatalistic about the captaincy," he said. "I think you have to be. I hold it dear and I don't want to be stood down at the end of the World Cup, but I know it's quite likely to happen if we continue to play as we are. Once the bandwagon starts to roll, and people start calling for the captain's head, it is very hard to stop it."

"I am not going to drop my bat — in fact, I haven't even thought about it. I am fed up with not getting any runs, but I'm certainly not giving up on it. I shall be practising all this week and I will be opening the batting against Pakistan on Sunday."

Early in December, any such discussion would have been sacrilegious. Atherton saved a Test match against South Africa with a monumental, 11-hour innings. His leadership qualities were widely lauded and one newspaper called for him to be knighted. The same paper has now turned against him. It does not surprise Atherton one bit, which is one reason why his sanity is intact and his spirits are not yet flagging.

"I have always felt there is a fickleness attached to this job," he said. "That is why I don't get carried away when things go well. I remember thinking in Johannesburg, after that century, that the nature of the captaincy is cyclical and I had to prepare for it to turn sour at any time. So, while I would be disappointed if I lost it, and while it means a lot to

Atherton became unpopular in South Africa, where his image was one of surliness, and he is certainly no favourite in Pakistan, but he denies that this stems from an intolerant nature. "I am certainly not intolerant of local customs or local people," he said. "We have stressed on this tour that we must go out of our way to enjoy it and I think we are doing that. I have found the public very friendly, but the Pakistan press is hostile to us and I can only think that dates back to previous England teams."

"I don't court popularity, and if crowds take against me, then it is part of my nature to be spurred to extra effort. I am not image-conscious so I enjoy it. Having said that, I don't go out of my way to be unpopular either. After what has happened this weekend, I shall have to be more careful."

Atherton never disguises his preference for Test cricket, but the World Cup is an exception. "Rightly or wrongly, the strength of countries is sometimes judged by how they fare in the World Cup, so it is important for the team that we do well and it is important to me because I may not be around long enough to play in another one," he said. "I have my views about things that are wrong at the core of our game, things that haven't changed in our structure while other countries have moved on, but this is not the time to harp on about that because I do believe we have some good players and I have faith in my team."

"We have not come into the event casually and we don't take any decisions without thought — every night, four of us sit down and talk about it. We have not played anywhere near our potential and we have got to improve a lot even to compete. If we don't, I will know what to expect."

India expects 43

WAGA on song 43

me I can't let it mean everything."

The criticisms piling at Atherton's door are various. It is said that he is too rigid a tactician for one-day cricket, that he is rude and intolerant towards foreigners and that, with 59 runs in eight innings, he is not even batting well enough to be in the team.

He answers quite frankly. "I just don't believe that theory; and I don't think my captaincy here has been poor. There will always be differences of opinion over bowling changes, field settings, whatever, but we don't have explosive match-winners in our attack and I have to work within our limitations. I have used spin in the first 15 overs and at the death. That isn't being inflexible."

"I am not a great self-

publicist, never have been. Certain other players have reputations that may be unfounded — their ability to lead may not quite match their image — but the problem with our team now is simply an underlying lack of confidence and there is only a certain amount a captain can do to cure that."

Atherton became unpopular in South Africa, where his image was one of surliness, and he is certainly no favourite in Pakistan, but he denies that this stems from an intolerant nature. "I am certainly not intolerant of local customs or local people," he said. "We have stressed on this tour that we must go out of our way to enjoy it and I think we are doing that. I have found the public very friendly, but the Pakistan press is hostile to us and I can only think that dates back to previous England teams."

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ALL HONOURABLE MEN

A sidelined debate at the House of Commons

Days before Ian Lang got to his feet yesterday, there was a decreasing connection between the content of the Scott report — or the government decisions concerning his recommendations — and the vote due late last night. The Government's fate lay with those of its own MPs whose disaffection predicated Scott, and with Ulstermen whose votes would be determined by their perceptions of John Major's probable next steps on Northern Ireland.

Rarely has a parliamentary debate on such a serious subject taken on so surreal an air. However hard Robin Cook tried to hammer the nails in the coffin, everybody present knew that what he said would have limited bearing on whether the Opposition would be able, for a night at least, to lay John Major's political body in it.

This came as no relief to the Government. The opportunity to be seen to respond soberly to the Scott report's criticisms of the conduct of government was not to be recaptured. The Government has lost irretrievably ground by the mishandling of its release, through the aggressive tone of Mr Lang's first statement to the House ten days ago and, above all, through John Major's determination to brazen out the finding that Sir Nicholas Lyell had been "personally at fault" in the handling of the Matrix Churchill case. In unpromising circumstances, Mr Lang did his best. The Government has accepted or agreed to open up to thorough review most of Sir Richard's recommendations for the future.

The list presented by Mr Lang includes a review of the State's powers to control exports, essentially unchanged since 1939; and of policies governing arms exports; action to improve the distribution of intelligence information, which the Scott report found to be gravely deficient; and increased supervision by the Attorney-General of Customs and Excise prosecutions.

These are all useful bolts in the stable door. But they are footnotes to Sir Richard's most damning charge: that the Government's public handling of policy on exports to Iran and Iraq revealed a cavalier attitude to ministerial accountability and that the failure of ministers to discharge their duty of accountability had been such as to "undermine... the democratic process".

The Government's first line of defence is that John Major has done more than most Prime Ministers to break down Whitehall's culture of secrecy. Mr Lang made the most of these efforts, citing the new statutory oversight of the intelligence service, the White Paper on Open Government, the release of 48,000 previously confidential public records, the Citizen's Charter and the Questions of Procedure for Ministers which had hitherto been a classified document.

The trouble is that however true this may be, page after page of the Scott report showed how ingrained among officials is the belief that the purpose of drafting a reply to a parliamentary question or an MP's letter is to reveal as little as possible. What is damning about this case is that his report demonstrates that their secrecy reflected their ministerial masters' wishes.

As even Sir Richard accepts, "full information" has been a rule with many exceptions. It is naive to suppose that a Freedom of Information Act would alter that. But the range of questions which, under accepted parliamentary convention, successive governments have declined to answer is too wide. The fresh look at these conventions the Government has now promised is overdue — and particularly with regard to defence secrets. Ministers must retain some discretion; there will be cases where disclosure could damage the security of strategically important British allies. But a prejudice in favour of disclosure is now necessary to restore trust between Parliament and public

ministers.

CYPRIOT BITTERNESS

The divided island looks infertile for the Dayton process

Just before leaving office, Richard Holbrooke declared his intention to try his Dayton magic on Cyprus; but he was thwarted at the last minute by a new dispute in the Aegean. Malcolm Rifkind has also turned his attention to the divided island, sending the Foreign Office political director on a mission to Athens and Nicosia.

All this enthusiasm, for so Sisyphean a task seems surprising; after years of United Nations mediation, poring over maps, indirect talks, personal lobbying by Boutros-Boutros Ghali, the negotiations ran into the sand in 1994. The clear lack of political will by both sides was only underlined last summer, when an attempt to start secret talks in London was sabotaged by leaks to the press. Since then, recriminations have only hardened positions.

Bosnia, the Middle East and even, with all its setbacks, Northern Ireland have shown, however, that no political stalemate is too intractable, no hatred too atavistic to be tackled. There are cogent reasons why Cyprus, one of the bitterest of conflicts, needs to be addressed again now. Within two years formal accession negotiations begin with the European Union. The Cyprus Government — currently representing only the Greek side, although it is the only one to be recognised internationally — has been told that talks cannot be concluded as long as the island is divided.

Cost is also forcing the pace. The United Nations force, largely made up of British troops, has been stationed in Cyprus for 21 years. With the huge recent increase in international peacekeeping, and without the money to pay for it, the UN is taking a hard look at open-ended commitments. Member

countries are impatient. They see Cyprus as the classic example of a conflict in which a UN buffer, protecting both sides from the folly of their obstinacy, prevents a settlement by rewarding intransigence. Several countries have already pulled out their troops in exasperation. Only Britain, with the political obligations of a guarantor power and the vital interest of its sovereign bases, dares not force the issue.

The prospects for a new initiative look bleaker than ever, however. Inter-communal negotiations have always been bedevilled by the interference of the two other guarantor powers, Greece and Turkey. At the moment neither has a Government strong enough for the statesmanship needed to overcome mutual hostility; politicians in each country are using the other to divert attention from their own domestic weakness. The recent hullabaloo over the uninhabited rocks off the Turkish coast came close to war, and the consequences are already poisoning the Eastern Mediterranean. Yesterday the Greek Government agreed not to torpedo Turkey's customs union with the European Union. But it set tough conditions.

Mr Rifkind believes, correctly, that Britain cannot go ahead on Cyprus unless backed by the diplomatic weight of America. Mr Holbrooke said recently that Cyprus might be amenable to the Dayton process, but only if three essential preconditions were met: the leaders must have full authority to negotiate, they must be ready to remain at the table indefinitely and they must be prepared to maintain confidentiality. On the present showing, none of those conditions is likely to be fulfilled.

FLOWER POWER

A host of gift-wrapped daffodils is approaching by Interflora

As St Valentine's Day blossomed, the red rose index tripled as fast as the Nikkei in Nick Leeson's benefit week. But red roses have dropped back to their natural level in the flower market until their proper season in June. And now in turn daffodil prices are about to shoot up in time for Mother's Day.

Flower-watchers predict a steeper daffodil inflation than usual. The flooding of the lower Rhine drowned the daffodils in Holland. The cold spring in Cornwall and the Isles of Scilly has set back the only crop for which British growers Rotovate on a level bulb field with the Dutch. And such daffodils as survived the frosts are being grubbed up by the larvae of the narcissus fly.

But they are more than just a pretty flower and host (in every sense) of spring. As the secretary of the Flowers & Plants Association points out in a letter today, £830 million a year is spent on cut flowers in the United Kingdom: £15 a head. Daffodils are worth £40 million a year, most of it spent for Mothering Sunday. So this year's bull market for daffodils is golden news for the flower and greeting-card industries, which have taken over the observance of public holidays from the Church and country lore.

This is not such golden news for children. But it could be worse. For the daffodil-men have beaten back a plot by chrysanthemum-growers to move British Mothering Sunday to May, when chrysanthemums flower, in order to harmonise it with America and the rest of Europe. But chrysanthemums are orientals, not native Lenten lilies. They

seldom grow wild. In spite of their maternal last syllable, they are more extravagant of pocket money even than March daffodils. And their heads fall off when they are put in a vase. In any case, the proper flower to give on Mother's Day used to be a bunch of wild violets, picked on the way to the mother church in which the child had been baptised.

Although the day has been secularised, its roots lie there beneath the gift-wrapping. For this used to be the once-a-year-day on which children in service were allowed home to visit their mothers. Not many are still in service, but children will visit their mothers, or at any rate call them on their mobile telephones. Mothers used to cook a mid-Lent feast on their day, with simnel cakes to commemorate the banquet Joseph gave for his brothers and the feeding of the five thousand: the lessons of the day. Mother still gets to cook lunch. But on Mother's Day the children do something really special for her, like opening the door for her to load the washing-up machine.

The pattern of our holidays turns with the seasons. Christmas for winter-solstice jollity, Valentine for young lovers because birds start to nest, Mother's Day for daffodils and lunch. Father's Day is a newcomer, and his flower comes from Oddbins. Mother's Day in May would be inappropriate. Lenten lilies and family roots suit British Mothering Sunday. But in any case, come May, our gold-fingered florists may have a second bite at the cherry-blossom and chrysanthemums for Harmonised International Mother's Day.

Yours sincerely,
MARTIN LAWRENCE,
West Street Surgery,
Chipping Norton, Oxfordshire.
February 21.

Prescription charges

From Dr M. S. Lawrence

Sir, I have a patient whose disposable income is less than £50 a week, yet this is above the threshold entitling her to free prescriptions. Her annual "season ticket" costs her almost two weeks' disposable income, and to obtain her annual medicines (which cost about £200) she has to pay just as much for a season ticket as Miss Helen Davies (letter, February 20) pays for the thousands of pounds' worth of medicines she needs to protect her expensively transplanted kidney.

The identification of certain medical conditions for exemption from charges is flawed and should be abolished. We should concentrate resources on relieving those in financial need by raising the threshold for payment of charges, or reducing the season-ticket charge to those on lower incomes.

Yours sincerely,
MARTIN LAWRENCE,
West Street Surgery,
Chipping Norton, Oxfordshire.
February 21.

LETTERS TO THE EDITOR

1 Pennington Street, London E1 9XN Telephone 0171-782 5000

Treasury 'wasting' public money

From Sir George Eagle

Sir, At the instance of the Treasury, portions of this year's 408-page Finance Bill were farmed out for drafting by the private sector instead of in the Parliamentary Counsel Office by government draftsmen.

According to the Financial Secretary's written answer on January 30 to a parliamentary question, 33½ pages were so drafted at a total cost of £130,000 (including one page not included in the Bill for policy reasons) — which works out at £3,880 a page.

The total of £130,000 is more than the combined annual salaries (at the bottom of their respective pay scales) of one full and one deputy parliamentary counsel, who between them could be expected to produce in the course of a year Bills totalling something like 200 pages, as well as working on regulations to give effect to European Community directives.

Unless private sector drafting is immeasurably better than that of parliamentary counsel, which it isn't, this experiment in privatisation seems a reckless waste of public money. Or could it be that parliamentary counsel — whose 200 pages at the private sector rate would cost all of £776,000 — are grossly underpaid?

Yours faithfully,
GEORGE ENGLE
(First Parliamentary Counsel,
1981-86),
32 Wood Lane, Highgate, N6.
February 19.

Call for caution on Airbus subsidies

From Mr Henry Keswick

Sir, In the continuing debate on the future of the European aircraft manufacturing industry any form of government intervention needs to be viewed with extreme caution. This applies, in particular, to the \$8-12 billion development costs in prospect for the building of the "jumbo" European Airbus (report, January 27).

We should not forget our past experience of subsidising losses in the shipbuilding and coal-producing industries by tax incentives and government funding. Is aircraft manufacturing any different?

The current problems of Fokker and the German shipbuilding industry (report, February 22) show what eventually happens with restrictive labour laws and government subsidies; eventually the competitive world marketplace frightens off providers of capital.

British Aerospace are nimble traders who keep their costs under control and profitably make the wings for Airbus. But does anybody really know the cost of the French and German parts of the aircraft and the extent of their government subsidy to promote a pan-European dream of an aircraft manufacturing industry?

British Aerospace, working with the future privatised and, hopefully, transparent French aircraft companies, together with a newly invigorated Daimler-Benz, should be the ones to decide their commercial risks, not the UK Government.

British manufacturers must compete in a worldwide market of the European Union, the North Atlantic Free Trade Area and the Pacific Rim. The

latter two areas are growing faster than a subsidised, over-regulated and possibly ring-fenced Europe. We should learn from the great success of Rolls-Royce's spectacular order from Singapore Airlines (report, Business, November 15, 1995), won in an open worldwide competition.

Other British aircraft component manufacturers have had equal success with hydraulics, instrumentation, etc. If we can take advantage of Boeing's defence sales subsidies we should do so like limpets on the bottom of an ocean liner (aero-engine limpets are worth their weight in gold).

International trade and finance is principally conducted in US dollars — still the greatest reserve currency of international commerce. We should not concern ourselves with irrelevant and inward-looking euros: Singapore Airlines were not interested in the value of the euro. Our mutual dependence on each other's cheese and jam will keep pan-European trade flowing even if we do keep our sovereign currency.

Britain will strengthen its position as the enterprise centre of Europe, provided that there is no return to government intervention in commerce. Such intervention will only lead to a short-term fix followed by bankruptcy — as the sad workers of Fokker and the German shipyards are now learning to their cost.

Yours sincerely,
HENRY KESWICK
(Chairman,
Matheson & Co Ltd,
3 Lombard Street, EC3.
February 26.

A sombre view of Dedham Vale

From Mr Ian Miller

Sir, The article by Simon Jenkins ("Harvest of bricks and mortar", February 24) on the National Gallery's current exhibition, *At Home with Constable's Cornfield*, is of interest to me. I am a farmer in Dedham Vale, where, as he says, nothing much has changed since Constable's day.

Paintings hung at the Royal Academy's annual exhibition have often made a political statement. In this case, to my eye, although the corn is standing high, the sheep are unshorn, the field gate is off its top hinge and a plough lies abandoned from the previous autumn or spring. There are few labourers in the harvest field.

In 1826, when Constable exhibited this picture, although he painted it long before, corn prices were unstable as was rural poverty; workers were leaving the land for the city and what appeared a fine sunset could instead well have been a rick set on fire by discontented labourers.

I believe that if Constable were able to return today he might say he was not encouraged by the state of farming in this area.

Yours faithfully,
IAN MILLER,
Clapier Farm,
East Bergholt, Colchester, Essex.
February 24.

School of art

From Mrs Audrey Mills

Sir, One of your articles about the Royal College of Art (February 19) states that it was Benjamin Haydon, the artist, who promoted the idea of such an institution. Haydon was head boy of Plympton Grammar School, Devon, in 1801, the school attended some seventy years earlier by Sir Joshua Reynolds, first President of the Royal Academy. Also a pupil of the school was the first director of the National Gallery, Sir Charles Locke Eastlake, PRA from 1850 to 1865.

This contribution to English art by one school must be unequalled. Is there another sphere of activity where a school can claim associations equally illustrious?

Yours faithfully,
AUDREY F. MILLS,
67 Fore Street,
Plympton St Maurice, Devon.
February 20.

Secretaries still

From Ms Jo Gardiner

Sir, The role of the secretary has indeed changed substantially in recent years ("So it's all over for secretaries . . .", February 20). But research carried out last year by the Industrial Society and the Secretarial Development Network shows that over 80 per cent of organisations still use the term secretary in job titles.

Although Microsoft's "administrative assistants" may have a new role within their organisation, most administrators prefer the job title of secretary to fancy or meaningless alternatives, as it should in principle reflect vital business and managerial skills.

As organisations become "leaner", employers need to train, develop and manage all their staff effectively, including secretaries and administrators. It is better to invest time and effort in good practice rather than in thinking up new job titles.

Employers have to change their perception of the secretarial role before their talented secretaries seek new jobs in organisations where their skills are valued.

Yours faithfully,
JO GARDINER
(Campaign Manager),
The Industrial Society,
48 Bryanton Square, W1.
February 20.

Scarcely fair

From Dr Paul Attack

Sir, I always enjoy Hilary Finch, but her review of the LSO performance at the Barbican of Bruckner's Fifth Symphony (Arts, February 21) was a little puzzling.

The finale may be many things, but to describe the most monumental symphonic movement ever as "frugal" seems a bit thick. Perhaps it was a spelling mistake?

Yours faithfully,
PAUL ATTACK,
9 Lancaster Gardens, Ealing, W13.

Home and away

From Mr J. D. Currie

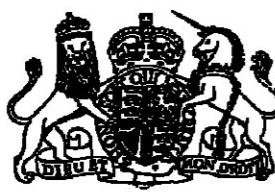
Sir, Regarding a new anthem for the English RFU (letter, February 23), surely Mr McCandlish cannot be unaware of the traditional and time-honoured words to *The Archers'* signature tune (although they are usually sung well after the game). They are:

Dum de dum de dum de dum.

Adoption of the above will give the added advantage of most of the players being able to remember the words to the second verse.

Yours faithfully,
J. D. CURRIE,
47 York Road,
Burnley, Lancashire.
February 24.

Letters should carry a daytime telephone number. They may be faxed to 0171-782-5046.



COURT CIRCULAR

BUCKINGHAM PALACE
February 26: The Princess Royal, President, Save the Children Fund, this evening attended the 1996 Meeting and Incentive Travel Industry Awards Dinner at the Grosvenor House Hotel, London W1.

ST JAMES'S PALACE
February 26: The Prince of Wales began an official visit to Morocco this morning.

His Royal Highness attended a demonstration by the 2nd Parachute Brigade of the Moroccan Armed Forces near Marrakesh.

The Prince of Wales had an audience with King Hassan II of Morocco in Rabat this afternoon.

His Royal Highness later visited the cardiac unit of the Aga Khan Hospital, Rabat, met staff and

patients, and presented the unit with a gift of cardiac equipment.

The Prince of Wales afterwards met members of the Morocco-British Association at the Residence of the British Ambassador.

His Royal Highness this evening attended a dinner given by the Crown Prince of Morocco.

YORK HOUSE

February 26: The Duke of Kent this evening opened an exhibition marking the 150th anniversary of the Heatherley School of Fine Art, at The Mall Gallery, Carlton House Terrace, London SW1.

The Duchess of Kent was represented by Lady Anstruther, a member of the Royal Household.

The Duke of Kent attended a

demonstration by the 2nd Para-

chute Brigade of the Moroccan

Armed Forces near Marrakesh.

The Prince of Wales had an

audience with King Hassan II of

Morocco in Rabat this afternoon.

His Royal Highness later visited

the cardiac unit of the Aga Khan

Hospital, Rabat, met staff and

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with a gift of cardiac equipment.

The Prince of Wales afterwards

met members of the Morocco-British Association at the Resi-

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His Royal Highness this even-

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the Crown Prince of Morocco.

ANNIVERSARIES

BIRTHS: Constantine I, The Great, Roman emperor 306-337 AD, Naius, Upper Moesia, 274.

William George Frederick Cavendish Bentinck, Lord George Bentinck, statesman, Welbeck Abbey, 1802.

Henry Wadsworth Longfellow, poet, Portland, Maine, 1807.

Dame Ellen Terry, actress, Coventry, 1847.

Sir Hubert Parry, composer, Bournemouth, 1848.

Rudolph Steiner, founder of the spiritual doctrine of anthroposophy, Kraljevci, Austria, 1861.

John Steinbeck, novelist, Salinas, California, 1902.

DEATHS: John Evelyn, diarist, Wotton, 1695.

John Arthot, physician, and wit, London, 1735.

Ivan Pavlov, physiologist, Lenin-

grad (St Petersburg), 1936.

Peter Behrens, architect, Berlin, 1940.

Sir Robert Bruce Lockhart, dip-

lomat and writer, Hove, Sussex,

1957.

The first Russian Embassy opened

in London, 1557.

The British Labour Party was

founded, 1900.

General Franco's rebel Nationalist

Government was recognised by

Britain and France, 1939.

The Gulf War ended after Iraqi

troops retreated and Kuwait was

liberated, 1991.

The guests were:

The Earl of Antrim, Marshal of the RAF, Lord Craigavon, Sir Brian Shaw, Mr H B Bickersteth, Professor D Cadman, the Rev C French, RN, Mr Michael Gove, Mr G R Hargreaves, Mr Kalland, Mr J Waterhouse and Mr B N O'Annes.

THORNEY ISLAND SOCIETY

Mr Dudley Fishburn, MP, was the

guest speaker at a dinner of the

Thorney Island Society held last

night at the Basil Street Hotel,

Miss June Stubbs, chairman, pre-

sided.

Today's royal engagements

The Queen will hold an investiture at Buckingham Palace at 11.00.

The Princess Royal, as President of the Royal Agricultural Society of England, will attend a council meeting and annual lecture at the Institution of Civil Engineers at 10.30 and, as President of the Rural Housing Trust, will attend the Royal Institution of Chartered Surveyors annual dinner at Grosvenor House at 7.00.

Princess Alexandra, a vice-pa-

tron, will attend a reception at St James's Palace at 7.00 to mark the 140th anniversary of the YWCA of Great Britain.

The Duke of Kent, as president,

will attend an informal committee

dinner at the Cavalry and Guards

Club, Piccadilly, at 7.40.

Today's events

The Queen's Life Guard mounts at Horse Guards at 11.00. The Queen's Guard mounts at Buckingham Palace at 11.30.

Reception

PRIME MINISTER

The Prime Minister was the host

yesterday at a reception held at Downing Street in recognition of the value of education.

Inner Temple

Mr Timothy Walker, QC, Mr Nicholas Meriman, QC, Mr Robin de Wilde, QC, and Mr Peter Bickersteth, QC, have been elected Masters of the Bench of the Inner Temple.

Birthdays today

Donald MacKay, chairman, Scottish Enterprise, 55; Lord Belhaven and Stenton, 69; Mr David Vere-Bendall, former diplomat, 76; Sir Michael Butler, Provost and chairman of council, Royal College of Art, 69; Mr Stephen Curtis, former chief executive, DVLA; 48 Sir Peter Emerly, MP, 70; Viscount Head, 59; Mr Mervyn Jones, author, 74; Mr Michael Kaye, former director, City of London Festival, 71; Mrs Barbara Kelly, former chairman, Scottish Consumer Council, 56; Sir Hugh Leggatt, art dealer, 71; Mr Edward Lutze-Smith, poet and art critic, 63; Mr Ian McCafferty, general secretary, British Actors' Equity Association, 35; Professor Sir

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Michael Hatfield introduces a two-page report on the progress of the controversial training and enterprise councils

Training for a tough new game

The business-led training and enterprise councils (Tecs), which have encountered considerable scepticism over their financial accountability and performance since their inception five years ago, entered the new year with the knowledge that it could be the most critical in their history.

Some of the scepticism has arguably been misplaced or exaggerated; but the Tec's this year are operating against a background of deep financial cuts in the Training for Work programme as a result of the Budget, although overall Kenneth Clark, the Chancellor, did increase their spending by 5 per cent from £1.116 billion to £1.173 billion, with increases in Youth Training and the Modern Apprenticeship scheme.

Chris Humphries, the Tec national council's director of policy and strategy, believes the budget to be positive, and although Gillian Shephard, Secretary of State for Education and Employment, underpinned Tec optimism by saying that the rise "was a significant mark of the Government's confidence in the Tec's", there are enough issues pended into the Tec agenda to stifle any thoughts of complacency.

The latest criticism came last week in a report by the all-party Commons Employment Select Committee, which said that Tec's had made only a "modest" contribution to the improvement of the system of training for the unemployed, and to the promotion of economic regeneration and enterprise. The committee said their impact on training had been less than was hoped for, and called for radical changes to the business-dominated boards that run Tecs in England and Wales.

The Association of Chambers of



Chris Humphries

Commerce has already thrown what has been described as a "small hand grenade into the training and enterprise pool" by suggesting that all interested parties (including themselves and the Tec's) should dissolve and reform into a single business support organisation; and the Tec national council is braced to fight the last round in the long battle with the Government over bureaucratic controls, after the report of the Cabinet Office's efficiency scrutiny of Tec.

Ministers are thought in principle to have accepted the report, which is expected to lift many of the Tec's administrative burdens. These have long been a running sore in relations between the Tecs and Government. What is at stake for the Tecs, however, is the timing and implementation of the recommendations of the report.

Such matters may be time-consuming but will not divert the national council from a deliberate plan to seize the high ground in education and training with the publication of five new major policy documents which are expected to surface in May.

Though the Tec national council is keeping its proposals under wraps for the moment, what it appears to be asking for is nothing less than a radical shake-up of education and training, challenging the financial and structural orthodoxies that determine policy.

The national council, it would appear, is not satisfied to stand on what it believes to be its creditable record, despite its critics, of delivering programmes which create more qualifications and more jobs for less than half the previous cost. More than 400,000 young people were trained through the Tec Youth Training Programme in 1994-95. This



An employee at Rover on the receiving end of a Modern Apprenticeship, which was a Tec's initiative

meant that eight out of ten of those who completed YT got jobs or entered full-time education. Of those who completed YT, 74 per cent got marketable qualifications.

The radical noises that are emanating from Westminster Tower, the headquarters of the Tec national council, are because the maturing national council, instead of adopting a reactive posture to government policy, is becoming more proactive according to Mr Humphries.

Though it was the initiative of the Tec that led to the introduction of Training at Work and the Modern Apprenticeship initiative, in the last few months the national council has been working on policies which could, if adopted by Government, fundamentally change the education and training of 14 to 19-year-olds, lifetime learning, and the training of the adult unemployed.

Publication of the policy documents has been deliberately timed. The national council wants to engage with all political parties, not just the

Government, at a time when the parties get down to the serious business of preparing their general election manifestos.

The timing is even better because Gillian Shephard announced last week the setting up of the most wide-ranging review of higher education for a generation, under Sir Ron Dearing.

"What we want to create is a national debate on the future of education and training, and we want to be influential," says Mr Humphries. The Tecs are now more confident of their future under a possible Labour government since assurances were given by opposition spokesmen that they would have a role to play. There is also regular contact with the TUC, though there are rumblings among the trade unions that some Tec boards still do not have trade union representation.

The drive behind the need to shake up education and training is built upon the premise that, for 14 to 19-year-olds, the system is inadequately

focused on the future employability of young people on their leaving school and on their capacity for continuous learning afterwards.

The policy document is likely to argue for a shake-up in funding and structure. To illustrate the inadequacies of established structures he points to the distinction between academic and vocational qualifications: some 30 per cent of children leave school with A levels, and 70 per cent with GNVQs. He believes not only that the distinction is far too rigid, but also that there should be a more level playing field.

The policy documents are also expected to challenge the assumptions of the higher education and university establishments that colleges set the courses and curricula, rather than gearing their educational provision to client demand. Moreover, the documents are likely to call for a change in public funding in which universality is the guiding principle, and demand more contributions from employers.

Sweet taste of success

More than 50 industry

training organisations covering 85 per cent of the UK workforce,

are responsible for setting the framework for the Government's Modern Apprenticeship initiative.

Last week the Hotel and Catering Training Company (HCTC) received a special National Training Award (NTA) from Gillian Shephard, Secretary of State for Education and Employment.

The award was in recognition of the fact that the group has been keen to champion modern apprenticeships as the first tangible manifestation of a new NVQ-centred apprenticeship approach.

The company employed 38 apprentices in 1994, and recruited a further 85 young people in September last year.

Rover's flexible programme design allows students to follow a predominantly work-based route to future employment within the industry.

A distinctive feature in the company's approach has been to break the mould of the traditional three-route model of post-16 progression: "academic" (A levels followed by higher education); "vocational education" and "work-based training".

Instead, Rover's scheme offers its trainees the same opportunity to progress to a university degree as A level, and within the same timescale.

Not only does the student receive a salary throughout the learning programme, but he or she is well placed to take advantage of employment opportunities on completion.

The industry suffers from an under-qualified workforce

Take the chance to put the future at your feet

Sol Campbell is just one example of a youngster benefiting from youth training, says Lucy Hodges

PROFESSIONAL SPORT



On the ball: Sol Campbell achieved an NVQ qualification

As a teenager, Sol Campbell was passionate about football. Fortunately, he was also good at it and won a place on the youth training programme at Tottenham Hotspur Football Club.

Today, aged 21, Campbell is a regular player in the Spurs first team and has been invited to train with the England full international squad. He probably owes that achievement to the youth training programme, courtesy of the Footballers' Further Education and Vocational Training Society, which gave him a qualification—an NVQ Level II in leisure and recreation—as well as the connections and training to make it to the top.

Youth training is for youngsters with special training needs—those with learning difficulties or those who do not want to follow the academic route to university—and it is available as of right to all young people aged 16 and 17 leaving school.

It enables trainees to obtain work-based training with local employers and to gain marketable qualifications in the process. Many young lads opt for the football training, but not many are chosen, according to Doug Norris, the director of operations at North London Training and Enterprise Council, which organises training in conjunction with providers.

There are other options which may be less glamorous but will lead to a job—for example, motor vehicle repair and information technology. North London Tec has other success stories: a young man who did badly at school but succeeded at a City & Guilds course in video production and is now a trainee editor with an advertising agency, travelling abroad and working on video promotion films; and another who achieved a City & Guilds horticulture qualification and has now been recruited by Operation Raleigh to help with building projects in the developing world.

In the academic year 1994-95 more than 400,000 young people were training on programmes. The results speak for themselves: eight out of ten of those completing training get jobs and three quarters achieve qualifications.

Introduced in the 1970s by a Labour Government in response to rising youth unemployment, youth training has evolved. Nowadays, youngsters are given a "youth credit" to "spend" on the training of their choice which carries a sum of money, reflecting roughly what the training costs. The idea is that it should help to motivate them.

The London Tecs have teamed up to create a network enabling young people to train anywhere within the Greater London area. "It has given them the chance to look after themselves," says Gwyneth Flower, chief executive of Central London Tec. "Before that people felt they

were being slotted onto courses, so the dropout rate was high. Now it's much better because the young people get a 'credit card' embossed with the value of the training. If they see £2,800 to £5,000-worth of training, that means something. It shows someone is prepared to invest that amount of money in them."

The other way in which youth training has changed is that most youngsters now emerge with a qualification such as an NVQ level One, Two or Three. The old Youth Opportunities Programme was criticised for providing employers with cheap labour. It enables teenagers to see the full range of qualifications and courses available and to appreciate that the standards are being set by industry for industry.

Considering modern apprenticeships in engineering?

Talk to the Authority.

If you're an employer and considering the future of your engineering business, you should be talking to the Engineering Training Authority—EnTra.

EnTra led the development of Modern Apprenticeships in Engineering and now works closely with industry promoting their use.

As the needs of every business are different, EnTra's Modern Apprenticeships are

gain high quality skills that are of direct relevance to the future development of your business.

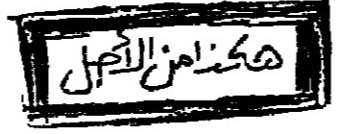
Whatever your reasons for considering Modern Apprenticeships in Engineering: whether you're an employer, a parent, a teacher, or a young person with ambition—talk to EnTra and discover how we can help you.

Call us today on this Lo-Call number.

0345 581 207



Engineering Training Authority
Vector House, 41 Clarendon Road, Watford, Hertfordshire WD1 1HS



16/2/96
51
35

Verdict: it's brilliant



Thoroughly modern apprentice: Melissa Attwater didn't want to start her career in debt

MELISSA ATTWATER

WHEN 20-year-old Melissa Attwater, who had a keen interest in engineering, was at school she was told that she would do her A levels and go to university. **Michael Hatfield** writes.

Melissa, however, had other ideas. Though she passed four A levels she did not want to go to university "because I didn't want to start my career in debt".

Instead, she took up a Modern Apprenticeship scheme with Kawasaki Precision Machinery in Plymouth and is now training as a mechanical technician, earning £130 a week. She will spend another three years in different sections of the company.

AUSTIN REYNOLDS

AUSTIN REYNOLDS, aged 18, says that being employed and earning a regular wage mean that he has the freedom to continue playing football while helping his future prospects.

It is an achievement that he finds the time. Employed as a Modern Apprentice by Telford Extrusions, a pioneer extrusions company.

company to attain an NVQ Level 4, and then work in research and development.

If she succeeds in acquiring the Level 4 the company will fund her university education.

Steve Glover, customer operations manager of the company, said: "The company and the training provider have responsibility for the programme, which is focused on specific goals, enables the company to produce apprentices fully skilled to NVQ Level 3 within three years instead of the previous four, and provides training which suits the company. We will now devote a fourth year to

specialisation and contribution towards NVQ Level 4."

For Melissa, her Modern Apprenticeship means "I go to college once a week and love that because it mixes both the classroom theoretical side and the practical side. Once I have done my certificate the company say they will put me through university, if that is best for both of us. My employer sees us as the future of the company."

There are so many opportunities at the end of training that it makes me wonder sometimes why everybody isn't doing a Modern Apprenticeship. It has been brilliant. I have no regrets."

The Modern Apprenticeship scheme is the Government's acknowledged linchpin to encourage young people seeking high-level training. That is why it is putting in £100 million of extra money in the coming financial year. To date the employer-owned ITOs have set up more than 50 national frameworks in sectors from accountancy to wool textiles.

Mr Paice says: "Young people are already recognising that these new-style apprenticeships offer an exciting and job-relevant training option. Employers are also telling us that this is the way forward into the 21st century."

The reason for this, according to Mr Powell, is that: "Modern Apprenticeships

Now in his second year, Austin is developing an industry-wide range of practical skills.

"I see Modern Apprenticeships as the springboard to a successful career," he says.

With the help of the Shropshire Tec, the company is currently working towards an Investors in People award.

Return of the apprentice

Michael Hatfield checks up on a government initiative

There are growing signs, after a somewhat lacklustre start, that the Modern Apprenticeship initiative, launched nationally last September following a year-long pilot scheme, is beginning to capture the imagination of employers and young people.

Optimism for the future success of the scheme, which combines the industry knowledge of the country's Industry Training Organisations (ITOs) and the local delivery skills of the Tecs, is expressed by James Paice, Education and Employment Minister, Chris Humphries, policy director of the Tecs, and Andy Powell, chief executive of the National Council of Industry Training Organisations (NCITO).

Latest figures show that some 15,000 young people have signed up for Modern Apprenticeships, a firm foundation for meeting the 30,000 target by the end of March, though whether it will be met remains to be seen. The target for succeeding years is 60,000 annually.

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Mr Humphries puts the slow beginning down to the fact that it took time to get the frameworks in place and also to get employers, who are resistant to getting themselves involved in legalistic bureaucracy in starting apprenticeships, on board. The resistance is becoming less marked, however, because the evidence coming from companies embarking upon Modern Apprenticeships is encouraging.

Modern Apprenticeships provide young people with a balance between the world of work, where they can acquire core skills, experience and discipline, and continuing education and qualifications. They are designed to meet the



Claire Wheeler, aged 18, working at Rank Xerox towards her Modern Apprenticeship

provide high quality training developed in response to employers' needs. This could not have happened without a national network of employer-owned ITOs covering 85 per cent of the UK workforce.

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tional Qualification Level 3. They can progress to professional Levels 4 and 5, or go on to university and higher education.

Companies take on Modern Apprentices as full-time employees and pay the wage for the job. Training credits, which can be worth up to £7,000, depending on the occupation chosen and the Level of NVQ, contribute towards the employer's cost and then go to the young person.

Independent sources confirm the official fact in Modern Apprenticeships. A study undertaken by Incomes Data Services published at the beginning of the year showed that the scheme was being supported by employers who have not been involved in previous government training initiatives.

The IDS evidence backs up an earlier survey by Ernst & Young, commissioned by the Department for Education

'Employers are telling us this is the way forward into the 21st century'

and Employment, which found that 60 per cent of employers would recommend Modern Apprenticeships to other employers in their sector. Rob Wye, who is in charge of the scheme at the department, says: "From what I hear, it is a concept that appeals to young people and their parents."

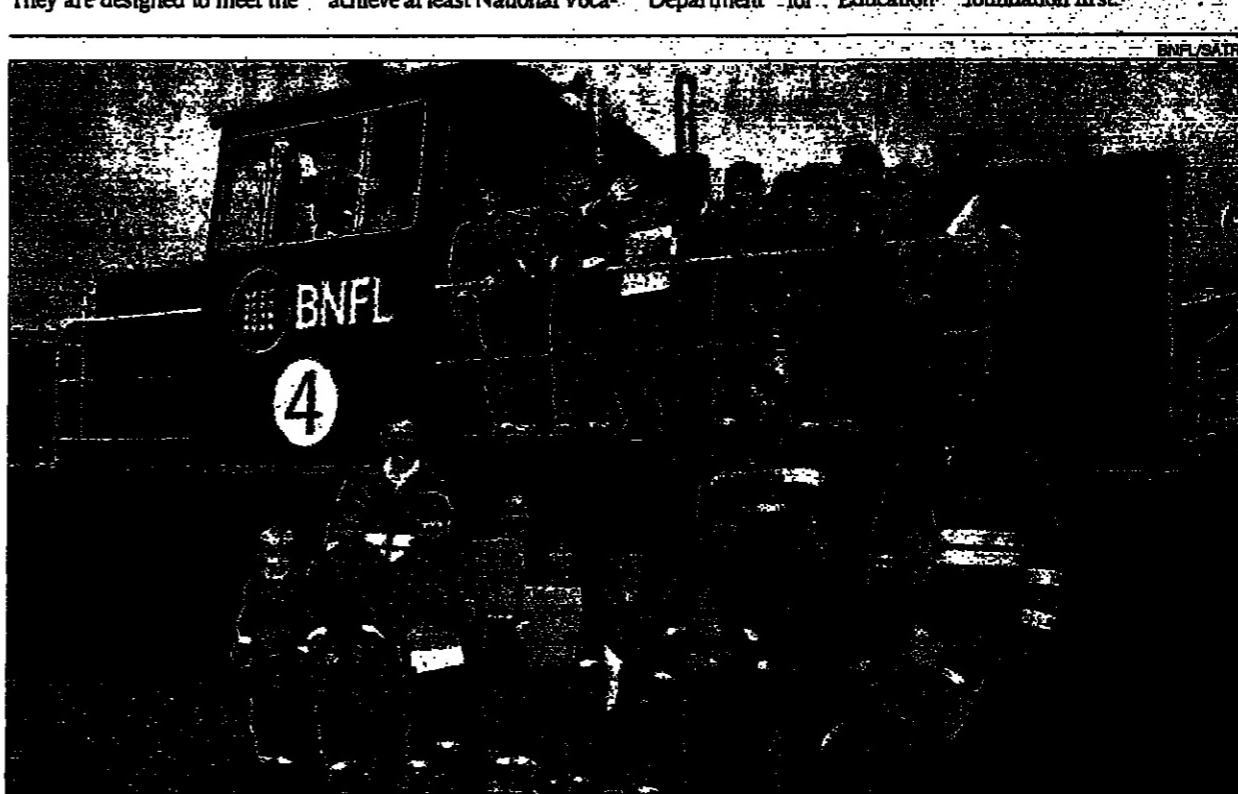
The Tecs have found that the response has been particularly good in the North West, the North East and the Midlands, but disappointing so far in London.

Eunice Craig, the Modern Apprenticeship co-ordinator for Tyneside Tec, which sent mailshots to 10,000 young people last August, says: "We have been getting a tremendous response from young people in the local newspaper."

She says the Tec received 150 calls from young people in response to an advertisement for four vacancies, and has set a March target of 750, with 274 employers making a commitment to take on apprentices. One employer was so impressed by the calibre of young people responding that he took on three instead of one.

In the Midlands, Dudley Tec, which is offering Modern Apprenticeship modules in 15 industrial and commercial sectors, has already placed 120 out of the total year's target of 256 since September.

Past Preston, training and quality development manager, says: "Our training suppliers are very positive. They have contacts with employers and at this stage we are selling the scheme to them. We will use the enthusiasm of these suppliers, employers and young people to sell the scheme by word of mouth. But we feel that we must get that firm foundation first."



Pupils from Lamplugh School's Young Engineers Club at Sellafield. Tecs help youngsters to gain useful skills

A shopfloor shock for Sir

Lucy Hodges on teaching teachers about industry, pupils about work

The charge that teachers are hopelessly ignorant of commerce and industry carries less resonance nowadays, since many members of the profession taste the world of work through placement services run by local training and enterprise councils (Tecs).

Every year, as many as one in ten primary and secondary school teachers spends up to a week in the workplace, as part of the general effort by Tecs to forge links between schools and industry, to ensure that youngsters have the skills necessary to earn a living when they leave full-time education.

In Cumbria, for example, more than 350 teachers a year spend time finding out what it is like to work for British Nuclear Fuels, for instance, or Everton Football Club.

"We are trying to focus the effort on head teachers," says Steve Palmer, chief executive of Cumbria Tec. "We want to ensure that the experience has some impact on the curriculum."

One project in Carmarthen involves teachers on placement being sent by West Wales Tec to the Carmarthen Journal, where their task is to produce a newspaper. Meanwhile, another group of teachers is placed with local companies and charged with gathering stories to be used in the paper.

All Tecs run education business partnerships, the aim of which is to organise collaboration between schools, colleges and companies, and to coordinate activities for children

of differing ages. Each partnership — there are now more than 120 of them — includes representatives from education, business and the local community.

Training and enterprise councils also run the successful Young Enterprise schemes in schools, whereby pupils are divided into business teams, sell a product and can win awards. They also organise work-experience schemes for pupils, which appear to be much appreciated by pupils and employers alike. In Cumbria, 70 per cent of pupils questioned in a survey cited work experience as the school activity which had most bearing on their futures.

Tecs work closely with further education colleges to make sure that both are tailoring their strategic plans to meet local labour market needs.

Tecs also set up educational compacts between local educational establishments and employers, which aim to help industry to influence education and training, and to help to motivate young people.

GCSEs to pupils. The idea, according to the Tec's chief executive, Richard Guy, was that disaffected fifth-formers could be helped to gain a better attitude through work-based learning. Thus pupils could choose NVQ courses in hotel and catering, for instance, and spend one day a week studying that outside school.

The scheme has proved both popular and effective, says Mr Guy. The question remaining is how it might be extended for the benefit of all pupils wanting to take part.

More school-industry links are fostered by companies themselves through Business in the Community, which serves as the conscience of British business and is part of the Prince's Trust. For example, as part of a graduate training programme, Ford engineers undertake 12-week assignments working with schools. The aim is to inspire young people to consider a career in science, technology and engineering.

The Toyota Fund has provided more than £500,000 to date for classroom projects on science and technology linked to local businesses. And British Aerospace has set up a Young Engineers Club at its training centre, so that youngsters can make things using a range of hand tools, machinery and equipment. Another scheme, run by the international bank SBC Warburg, involves bank employees being sent to Deptford Green school in southeast London to encourage the children to raise their sights and do well academically.

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B/MSR

D/EE

Department for
Education and Employment

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The players' weekly and overall scores and their values if you are considering the transfer option

Code	Name	Team	Pts	Wk Ch
41405	I Bishop	West Ham United	1.50	+3+40
41406	D Gordon	West Ham United	1.00	0 0
41409	R Slater	West Ham United	1.00	0+21
41410	S Lazarides	West Ham United	2.00	+3+31
41411	M Hughes	West Ham United	1.00	+5+23
41412	D Williamson	West Ham United	1.00	+5+23
41501	J Ebbs	Everton	5.00	+2+21
41502	A Fletcher	Everton	1.50	+2+28
41503	A Limper	Everton	2.50	0+25
41504	B Horne	Everton	1.50	0+21
41505	V Samways	Everton	1.50	0+5
41506	J Parkinson	Everton	1.00	+1+33
41508	A Grant	Everton	0.50	+3+5
41509	A Kanchelskis	Coventry City	6.00	+5+47
41601	P Cook	Coventry City	2.00	0+2
41602	K Richardson	Coventry City	1.50	+1+24
41803	G Strachan	Coventry City	1.50	0+3
41807	P Tolson	Coventry City	1.50	+3+33
41808	M Isaacs	Coventry City	3.00	0+9
41809	C Battista	Coventry City	1.00	0 0
41810	J Salata	Coventry City	2.50	+2+39
41701	G Flitcroft	Manchester City	2.50	0+22
41702	P Beagrie	Manchester City	3.00	0+3
41703	S Lomas	Manchester City	1.50	+1+33
41704	I Brightwell	Manchester City	1.50	0+16
41706	N Summerbee	Manchester City	1.50	+3+35
41707	G Kintadze	Manchester City	1.50	+1+40
41708	N Clough	Manchester City	2.00	+1+14
41801	A Townsend	Aston Villa	2.00	+1+28
41802	I Taylor	Aston Villa	2.00	0+32
41803	G Southgate	Aston Villa	0.50	+1+39
41805	F Carr	Aston Villa	2.50	+1+48
41901	C Hignett	Middlesbrough	1.00	0+26
41902	A Moore	Middlesbrough	2.00	0 0
41903	J Moreno	Middlesbrough	1.00	0+2
41904	R Mustoe	Middlesbrough	0.75	+2+16
41905	J Pollock	Middlesbrough	2.00	+1+31
41906	B Robson	Middlesbrough	1.50	0+2
41907	Juninho	Middlesbrough	5.00	0+20
42022	D Lee	Bolton Wanderers	2.50	+1+11
42023	A Thompson	Bolton Wanderers	2.50	+1+14
42024	R Sneaks	Bolton Wanderers	1.50	0+14
42027	W Burnet	Bolton Wanderers	0.50	0 0
42028	S Sellers	Bolton Wanderers	2.50	+1+18
42029	S Curcio	Bolton Wanderers	1.50	+1+18



Pickering selected his side, the Manchester Marauders, through personal knowledge and targeted players with flair

Choosing your friends

Ally Pickering, a Coventry City full back, reveals how he made his ITF selections

UNLIKE some people, who picked their team around strikers or defenders, I picked the Manchester Marauders from players I know. Straight in went the two wingers because I am a full back and wingers are the players I have to deal with first. Then it was Tony Colom because I am a Manchester City fan and he was with City when I picked him.

Another City player I picked is Keith Curle. I thought he might have earned me a few more points than he has because he is quick on the ball and usually gets a couple of penalties during the season, but it has not turned out quite that way this year. I put him alongside David Unsworth at the back. Unsworth is another player who has impressed me when I have played against him, but he does not seem to be having the best of seasons so far.

I tried to pick a team with flair, which is why I went for Anders Limpar, I rate Everton as a team and Limpar particularly. He is not slow, but the thing that sets him apart is his trickery, which makes him so difficult to deal with on the pitch.

I always enjoy playing against the skilful sides because they give you more chance to play yourself. I think the foreign players who have come to the Premiership can do nothing but good for our game. They bring flair to the game.

where we tend to be all bustle and bustle, apart from Liverpool, Manchester United and Newcastle.

For most of the foreign players, it takes a while for them to settle in, but I do not think many have not adapted to the Premiership. That said, I am not so sure about Asprilla; if he is found guilty of the Unsworth incident, he will miss a few games before he has even started, but then the Colombians always have that reputation.

I would like to see Newcastle win the

title and, if they do not, they have only themselves to blame. If they do not win this season, they never will. They have an unbelievable team and I think whoever wins the game between Newcastle and Manchester United next Monday will win the Premiership.

However, with all the foreign talent around, I would put Robbie Fowler in my team if he was not so expensive. He is only a young lad, but is scoring goals and is full of himself when he plays. It is all down to confidence and Liverpool are really buzzing at the moment.

At Coventry, our goal is to stay up this year, which means that we need 18 points from the next 11 games to be safe, but, even though we are down near the bottom of the table, the spirit is still there and that makes the difference. Gordon Strachan and Ron Atkinson are always bubbly in training and you need that. There is no good moping about, and if the management is down it affects the rest of the team.

I think if we stay up we will be a good team next season. There are only a couple of us left from the old side when the boss took over and it takes a while for the new players to settle in.

Hopefully there is still enough time for everything to come together before the end of the season. I am not so sure about the chances for my ITF side, though.

Code	Name	Team	Pts	Wk Ch
20101	H Berg	Blackburn Rovers	3.50	+2+20
20102	G Le Saux	Blackburn Rovers	4.50	0+3
20103	J Kanza	Blackburn Rovers	3.50	+2+30
20201	D Irwin	Manchester United	4.50	+8+31
20202	P Parker	Manchester United	2.50	0+1
20203	G Neville	Manchester United	2.50	+6+8
20204	P Neville	Nottingham Forest	4.50	+8+24
20205	S Pearce	Nottingham Forest	3.00	+2+18
20206	D Lytle	Nottingham Forest	1.00	-0-12
20207	A Hasland	Liverpool	3.00	+1+37
20208	R Jones	Liverpool	3.00	+0+4
20209	S Bjornby	Liverpool	0.75	+0+26
20210	S Harkness	Liverpool	3.50	+3+15
20211	T Dorigo	Leeds United	3.00	+4+18
20212	G Kelly	Leeds United	1.50	0+4
20213	N Worthington	Leeds United	3.00	+3+13
20214	J Beresford	Newcastle United	3.00	+0+0
20215	M Hollings	Newcastle United	3.00	+3+25
202701	D Austin	Newcastle United	0.50	0 0
202702	J Edgington	Tottenham Hotspur	2.50	+0+17
202703	S Campbell	Tottenham Hotspur	1.50	+4+57
202704	C Kerslake	Tottenham Hotspur	2.50	+4+21
202705	C Wilson	Queens Park Rangers	2.00	+0+9
202801	D Bardsley	Queens Park Rangers	1.50	+6+5
202802	R Brevitt	Queens Park Rangers	1.50	+0+3
202803	N Zellic	Queens Park Rangers	2.50	+3+24
202804	A Miller	Queens Park Rangers	1.00	-0-12
202805	G Welsh	Middlesbrough	0.75	+6+15
202806	K Branagan	Bolton Wanderers	0.50	+1+78
202807	J Britton	Bolton Wanderers	0.50	0 0

Code	Name	Team	Pts	Wk Ch
202808	D Maddix	Blackburn Rovers	3.50	+2+13
202809	S Yates	Blackburn Rovers	1.00	+0+4
202810	A McDonald	Blackburn Rovers	1.00	+2+6
202811	K Ready	Blackburn Rovers	0.75	+0+8
202812	A Reeves	Blackburn Rovers	2.50	+0+2
202813	M Reilly	Blackburn Rovers	0.75	+0+4
202814	S Fitzgerald	Blackburn Rovers	0.75	+0+15
202815	A Thorpe	Blackburn Rovers	2.50	+3+22
202816	A Perry	Blackburn Rovers	1.00	-0-13
202817	A Pearce	Blackburn Rovers	2.50	+0+3
202818	K Monikou	Southampton	1.50	+3+3
202819	A Neilson	Southampton	1.50	+0+10
202820	R Hall	Southampton	1.50	+2+6
202821	E Johnson	Chelsea	1.50	+0+14
202822	J Kjeldberg	Chelsea	1.50	+0+3
202823	F Sinclair	Chelsea	2.00	+0+5
202824	D Lee	Chelsea	0.75	+3+22
202825	M Duberry	Chelsea	2.50	+3+3
202826	T Adams	Arsenal	4.50	+0+27
202827	S Bould	Arsenal	3.00	+0+23
202828	M Keown	Arsenal	1.50	+4+23
202829	A Lingham	Arsenal	1.50	+4+2
202830	D Walker	Sheffield Wednesday	2.50	+0+3
202831	F Sinclair	Sheffield Wednesday	2.50	+4+16
202832	G Short	Sheffield Wednesday	2.50	+3+16
202833	R Epler	West Ham United	2.50	+4+16
202834	S Potts	West Ham United	2.50	+4+16
202835	M Reiper	West Ham United	1.00	+0+20
202836	A Martin	West Ham United	0.50	0 0
202837	A Whitbread	West Ham United	1.50	+0+10
202838	S Biffle	West Ham United	1.50	+0+4
202839	D Unsorth	West Ham United	1.50	+1+4
202840	M Watson	West Ham United	2.50	+3+30
202841	C Short	West Ham United	2.50	+6+18
202842	R Epler	West Ham United	2.50	+0+14
202843	D Walker	West Ham United	2.50	+4+16
202844	A St John	West Ham United	2.50	+4+16
202845	M Keown	West Ham United	2.50	+4+16
202846	A Lingham	West Ham United	2.50	+4+16
202847	D Walker	West Ham United	2.50	+4+16
202848	A Lingham	West Ham United	2.50	+4+16
202849	M Keown	West Ham United	2.50	+4+16
202850				

THE TIMES TODAY

TUESDAY FEBRUARY 27 1996

NEWS

Mayhew aims to reassure Unionists

■ The Government acted to head off a Commons defeat on the Scott report last night by offering key assurances to the nine Ulster Unionists about the elections to be held in Northern Ireland ahead of all-party talks.

The Northern Ireland Secretary was desperately trying to allay official Unionist fears that the Government had done a secret deal with the Rev Ian Paisley's Democratic Unionists.....Page 1

Murder suspect tricks woman friend

■ The murder suspect Victor Farrant has been hiding with a woman friend in Brussels, detectives said. The woman had no idea he was on the run, they added. Mr Farrant, 46, is wanted for the murder of Glenda Hoskins, 45, who was found dead at her home near Portsmouth on February 8.....Page 1

Ninth plane lost

The toll of air crashes suffered by the RAF and Royal Navy this year rose to nine in less than seven weeks after a Tornado GR1 went down in Germany.....Page 1

Cruise ship crippled

A tug was struggling through squalls in the South China Sea to reach a crippled Cunard cruise liner with 500 passengers, including 60 Britons, on board.....Page 1

Ceasefire demand

The Government demanded an immediate and permanent end to the terrorist campaign at its first face-to-face meeting with Sinn Fein since the collapse of the IRA ceasefire.....Page 2

Oil spill disaster

The *Sea Empress* oil spill is the biggest environmental disaster since the *Torrey Canyon* in 1967, experts said. About 20,000 birds have been affected.....Page 3

Guard for Princess

The Princess of Wales bowed to pressure from Buckingham Palace and agreed to a 24-hour armed guard for the first time since she announced her withdrawal from public life.....Page 4

Headmistress sacked

A headmistress who improved results and morale at her secondary school was arrested in her night-dress and sacked after it was discovered she had lied on her application form.....Page 5

Village newcomers not welcome

■ The peace and harmony of the village of Swallowfield in Berkshire is threatened by a proposal to form a club restricted to those who have lived there for at least 25 years. The idea of a "25 club" was put forward by a parish councillor who said there were fears that the running of the village could be "hijacked by a few articulate outsiders".....Page 5



Take That fans waiting in vain at the High Court for Robbie Williams, who failed to appear after an out-of-court settlement. Page 4

BUSINESS

Abbey: Abbey National is searching for a life insurance acquisition in an effort to increase its share of the growing market.....Page 25

Hongkong: HSBC Holdings, parent company of Midland Bank and of James Capel, the stockbroker, reported a 16 per cent increase in pre-tax profits to £3.672 billion last year.....Page 27

Markets: The FT-SE 100 index rose 34.8 points to close at 3779.8. Sterling's trade-weighted index remained unchanged at 84.2 after a fall from \$1.5385 to \$1.5375 but a rise from DM2.2597 to DM2.2617.....Page 28

Film widow to sue

The widow of the French film-maker Henri Georges Clouzot is to sue over an American version of her husband's 1955 classic *Les Diaboliques*.....Page 9

Jerusalem deaths

Two more people died in Jerusalem — victims of the nervous paranoia gripping Israel — just as some of the 25 Jewish victims of Sunday's suicide bombs were being buried.....Page 10

Cuba reprisals

President Clinton met his national security and foreign policy advisers to consider his options for responding to the shooting down of two unarmed Cessnas by Cuban MiGs.....Page 11

Village newcomers not welcome

■ The peace and harmony of the village of Swallowfield in Berkshire is threatened by a proposal to form a club restricted to those who have lived there for at least 25 years. The idea of a "25 club" was put forward by a parish councillor who said there were fears that the running of the village could be "hijacked by a few articulate outsiders".....Page 5

SPORT

Cricket: Michael Atherton, who has been under attack from many quarters, said he would be "disappointed but not surprised" if failure in the World Cup cost him the England captaincy.....Page 48

Football: Faustino Asprilla of Newcastle United and Keith Curle of Manchester City have been charged with misconduct after incidents during the Premiership match last Saturday.....Page 48

Rugby union: Bath and Leicester were kept apart in the draw for the Pilkington Cup semi-finals. Bath meet Gloucester and Leicester play London Irish.....Page 46

Athletics: Vincent Rousseau, the only runner to have broken 2hr 8min twice, will run in the London Marathon on April 21.....Page 48

His master's voice: Peter Greenwell, for many years accompanist to Noel Coward, is to star in a stage tribute to him.....Page 42

Treasures from Italy: While the Doria Pamphilj Gallery in Rome is closed for renovation, the National Gallery in London has been loaned 12 sumptuous Old Masters that have never left Italy before.....Page 40

Sensible choice: *Sense and Sensibility* won the Golden Bear for best movie at this year's Berlin Film Festival, while Sean Penn picked up the best actor award for *Dead Man Walking*.....Page 41

Tenor to toe: The most impressive aspect of English National Opera's *Tosca*, says John Higgins, is the Cavaradossi sung by David Rendall.....Page 41

His master's voice: Peter Greenwell, for many years accompanist to Noel Coward, is to star in a stage tribute to him.....Page 42

IN THE TIMES

■ INTERFACE
The £2 billion battle to wire up the British Army to digital technology. Plus, win a £3,000 Apricot multimedia PC

■ GRAND SLAM

Win two tickets for the Scotland v England grand slam rugby match

HOW TO WIN

INTERFACe
The £2 billion battle to wire up the British Army to digital technology. Plus, win a £3,000 Apricot multimedia PC

GRAND SLAM

Win two tickets for the Scotland v England grand slam rugby match

Preview: Is there life after Kevin Whately and Amanda Burton? **Peak Practice** (ITV, 9pm). Review: Matthew Bond on the mysteries of the declining sperm count. Page 47

OPINION

All honourable men

What is damning about this case is that the Scott report demonstrates that the secrecy of officials accurately reflected their ministerial masters' wishes.....Page 15

Cypriot bitterness

There are cogent reasons why Cyprus, one of the bitterest of conflicts, needs to be addressed again now.....Page 15

Flower power

In any case, when May comes round, the ingenuous florists can have a second bite at the cherry-blossom and chrysanthus for Second Mothering Sunday.....Page 15

SUE CAMERON

The Government has not allowed the Scott saga to drag on for 12 days out of mere ineptitude. As Whitehall surveys the wreckage of its once proud government machine, ministers and top civil servants are finishing a package of reforms to be announced next week.....Page 14

LIBBY PURVES

My heart is in Potgietersrus, 180 miles of bare veld north of Johannesburg. It hovers over the school gates cheering on the black children who, undeterred by last week's demonstrations by white parents, are asserting their right to be educated in hitherto whites-only schools.....Page 14

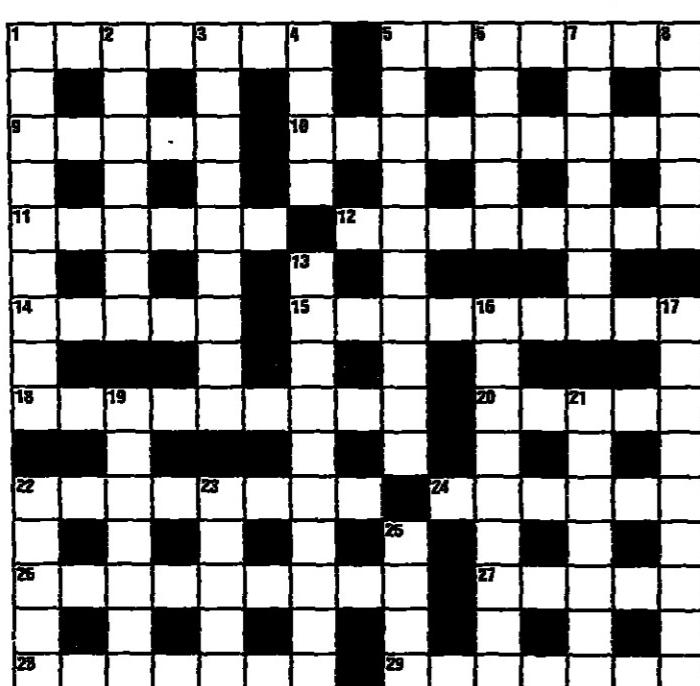
PETER RIDDELL

The Scott report is one of those secondary, but highly symbolic, issues that do governments immense damage without themselves being decisive.....Page 8

Lord Iliffe, newspaper proprietor; Sir Ralph Bateman, industrialist; Timothy Morris, newspaper executive; Edward Adamson, art therapist.....Page 17

Treasury privatisation moves "wasting" public money; Government intervention in aircraft manufacturing industry; hard times in Dedham Vale.....Page 15

THE TIMES CROSSWORD NO 20,101



ACROSS

1 Spill, for example, from boat (7).
5 Sort of chairs for play, or other theatrical event (7).

9 A friend from the country (5).

10 Pocket watch required for collector of silverware? (3-6).

11 Is interrupting to half combat (6).

12 Angry churchman without house (8).

14 Extract from healthy medicinal herb (5).

15 Soldiers deal with forward communication (9).

18 Disco's opening tune with beat excited new socialite (9).

20 Distance to go round island in European country (5).

22 Disintegrate publicity introducing ring villain (8).

24 Youngster first to succeed as painter (6).

26 Finished last of the spread (5).

28 Measure of surveyors? (5).

29 Club used in the evening (4).

Solution to Puzzle No 20,100

1 INCHIAOTIE MOISCOM

2 MOUFE EW V

3 MORATORIUM APEX

4 UN S O H R

5 BACKONESBRAINS

6 E A L I A E

7 STANDSBY ENLISTS

8 K R A D T

9 SPICKED CATGAIL

10 G A M A I O

11 G U N C H O N T H E D R A M

12 D N P I M C D

13 SAGA AFICIONADO

14 N G S L I S W

15 STREET MELODEON

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Devon & Cornwall: 01 81 590 1002
West Country: 01 81 590 1003
Beds, Herts & Essex: 01 81 590 1004
Norfolk, Suffolk, Cambs, Norfolk Coast: 01 81 590 1005
Shropshire, Hereford & Worcester: 01 81 590 1006
Central Midlands: 01 81 590 1007
Lancs & Humberside: 01 81 590 1008
Dyfed & Powys: 01 81 590 1009
Wales: 01 81 590 1010
N W England: 01 81 590 1011
W S Yorks & Dales: 01 81 590 1012
Cumbria & Lake District: 01 81 590 1013
S Y Scotland: 01 81 590 1014
Edin & Lothian: 01 81 590 1015
E Central Scotland: 01 81 590 1016
S E Scotland: 01 81 590 1017
Wales: 01 81 590 1018
Northern Ireland: 01 81 590 1019
Metropole: 01 81 590 1020

Weatherline is charged at 25p per minute, 10p per 30 seconds and 10p per minute for calls from payphones.

Full Moon March 5

Lunar Eclipse 9.45pm 5.30pm 5.55pm

Banbury 5.41pm 7.07pm 7.29pm

Manchester 5.41pm 7.07pm 7.29pm

Penzance 5.41pm 7.07pm 7.29pm

London 5.41pm 7.07pm 7.29pm

Edinburgh 5.41pm 7.07pm 7.29pm

Glasgow 5.41pm 7.07pm 7.29pm

Belfast 5.41pm 7.07pm 7.29pm

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Wales 5.41pm 7.07pm 7.29pm

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